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Regulations

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

[ACP-1946-1]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM SUBPART H—1946

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1946 Agricultural Conservation Program is amended as follows:

Section 701.702 (a) (1) is amended to read as follows:

§ 701.702 *Control of funds, pooling agreements, conservation practices, and rates of payment—(a) Control of funds.*

(1) The State committee will establish a limit on expenditures for each county. The county committee will keep within the county limit by approving payment for only those practices for which the extent of the practice is approved by the county committee prior to the performance of the practice, except that practices performed before June 1, 1946, may be approved retroactively by the county committee.

Done at Washington, D. C., this 18th day of April 1946. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-6605; Filed, Apr. 19, 1946; 11:09 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 9, Amdt. 7]

PART 1220—FEED

RESTRICTIONS ON DELIVERY, RECEIPT, AND USE OF SOYBEANS

War Food Order No. 9, as amended (11 F.R. 669, 2215, 2436), is hereby further amended as follows:

1. By deleting paragraph (f) and substituting in lieu thereof the following:

(f) *Certificates.* No person shall deliver, except to a feeder, and no person other than a feeder shall accept delivery of protein meal, urea or wheat mill feeds unless, at or before the time of delivery, the person receiving such protein meal, urea, or wheat mill feeds executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the United States Department of Agriculture and to _____

(Name and address of supplier) that he is familiar with the terms of War Food Order No. 9, that he will use the protein meal, urea, or wheat mill feeds to be delivered under this certificate in accordance with the provisions of War Food Order No. 9, and that the receipt by him of such protein meal, urea, or wheat mill feeds will not be in violation of any provision of such order.

By _____ Purchaser
_____ Authorized Official
_____ Address
_____ Date

2. By deleting paragraph (g) (1) and substituting in lieu thereof the following:

(1) No processor, soybean products manufacturer, or seed dealer shall use soybeans of the following crops except for filling manufacturing, processing, or seed sales requirements for the following periods:

(i) 1945 crop soybeans—period ending October 10, 1946.
(ii) 1946 crop soybeans—period ending October 10, 1947.

Provided, however, That soybeans of the 1945 or 1946 crop may be sold to Government agencies or persons eligible to purchase and accept delivery of soybeans under this order.

3. By deleting paragraph (h) and substituting in lieu thereof the following:

(h) *Restrictions on soybean inventories.* (1) No processor, soybean products manufacturer, or seed dealer, shall purchase or accept delivery of soybeans of the following crops in any quantity which will cause his inventory to exceed

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NOTICE

1945 Supplement

Book 1 of the 1945 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3 per copy. This book contains Titles 1 through 9, and includes, in Title 3, Presidential documents in full text together with appropriate reference tables.

A limited sales stock of the 1944 Supplement is still available as previously announced.

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his manufacturing, processing, and seed sales requirements for the following periods:

- (i) 1945 crop soybean—period ending October 10, 1946.
- (ii) 1946 crop soybean—period ending October 10, 1947.
- (2) No country shipper shall purchase or accept delivery of soybeans in any quantity which will cause his inventory to exceed his delivery requirements under existing contracts with processors, soybean products manufacturers, seed dealer, and the Commodity Credit Corporation, plus (i) 2,000 bushels, or (ii) the quantity of soybeans purchased during the 30 days immediately preceding.
- (3) From and after the effective date of this order, no person other than a processor, soybean products manufacturer, seed dealer, or country shipper shall purchase or accept delivery of soybeans in any quantity which will cause his inventory to exceed his delivery requirements under existing contracts with processors, soybean products manufac-

turers, seed dealers, and the Commodity Credit Corporation, plus his planting requirements, plus his requirements for sales for human consumption.

This amendment shall become effective at 12:01 a. m., e. s. t., January 16, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 9, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 18th day of April 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-6606; Filed, Apr. 19, 1946; 11:09 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.: E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-391]

RAYON FABRICS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rayon fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.366 *Conservation Order M-391—(a) Introduction.* This order requires the distribution of specified quantities of certain rayon gray goods, and the finishing and delivery of the goods, for use as linings in feminine street wear for civilians. Deliveries may be made only to persons who certify that the goods, or an equal quantity of similar material, will be used for that purpose, or will be finished and delivered only to persons who certify that they will use it for that purpose. Orders which are certified and also rated CC have precedence over orders which are certified but unrated. It is not necessary to have a rating or authorization from the CPA to use the certification, but the quantities which may be ordered, received, or delivered on certified orders are subject to the rules in Priorities Regulation 32, which controls inventories.

(b) *Definitions.* As used in this order:

(1) "Feminine street wear" means suits, coats and jackets, manufactured

for feminine street wear for civilians. The term does not include housecoats, bathrobes, bed jackets, and other apparel customarily worn only in the home, or items not made for street wear, such as sportswear and evening wear.

(2) "Rayon fabrics" means any woven or knitted (both circular and warp) fabric, containing less than 25% wool by weight, but of which the remaining fibers are more than 50% of synthetic fiber (filament or spun yarn, or their blends) by weight. For example, a fabric containing 20% wool, 41% rayon, and 39% cotton is a rayon fabric. Except where otherwise indicated, it includes such fabrics, whether gray, original mill or regular finish, bleached, dyed, printed, or otherwise processed as fabric. Particular kinds of rayon fabrics are designated in the Distribution Schedule of this order by the reference numbers and corresponding descriptions contained in Form CPA-658C, and the listing of a reference number includes the kind of rayon fabric covered by the corresponding description in Form CPA-658C.

(3) "Producer" means any person who weaves or knits rayon fabrics from yarn owned by him, or who has rayon fabrics woven or knitted for his account, from yarn owned by him, whether he delivers them in the gray, finished, or partially finished state. If a person supplies yarn to a weaver or knitter for processing on a basis under which a part of the fabric produced from that yarn is to be owned by the yarn supplier, and part by the weaver or knitter, the yarn supplier is the producer of that part of the fabric which he will get, and the weaver or knitter is the producer of the remainder. Where a person supplies yarn to a weaver or knitter in exchange for fabric not made from the yarn supplied, the weaver or knitter is the producer of all of the fabric made from the yarn which he gets in this way, as well as of any other fabric produced by him.

(4) "Finished goods supplier" means any person who finishes, or has finished for his account, rayon fabrics which he owns, whether he produces them in the gray, finished or partially finished state.

(c) *Distribution by producers*—(1) *Quarterly set-asides*. In each calendar quarter, beginning with the second quarter, 1946, every producer of the rayon fabrics listed in Column 2 opposite the Reference Number of the Distribution Schedule of this order, whether he sells them in the gray or finished state or uses them to manufacture other products, shall set aside for delivery on orders accompanied by the certification in paragraph (f) below, yardages of such fabrics in the gray state equal to at least the percentages, shown in Column 3 of the Distribution Schedule, of his production of such fabrics during that period. These quantities may be delivered from inventory on hand at the beginning of the quarter as well as from production during the quarter.

(2) *Carry-over of required shipments*. If any producer does not deliver the full yardage required during any calendar quarter, he shall deliver in the next calendar quarter a yardage equal to the undelivered quantity, in addition to the yardage which he is otherwise required to deliver in that next quarter.

(d) *Deliveries of finished goods*—(1) *Quarterly deliveries*. In each calendar quarter, beginning with the second quarter, 1946, every finished goods supplier must, if possible, deliver yardages of the rayon fabrics listed in the Distribution Schedule, with a finish which makes them suitable for use as linings in feminine street wear, or with a finish customarily required for such use, at least equal to the yardages in the gray state which he orders for delivery in the same quarter under the certification in paragraph (f) below. Such quantities shall be delivered only to persons who give that certification. They may be delivered from inventory on hand at the beginning of the quarter as well as from fabrics received or finished during the quarter.

(2) *Carry-over of required shipments*. If any finished goods supplier does not deliver the full yardage required during any calendar quarter, he shall deliver in the next calendar quarter a yardage equal to the undelivered quantity, in addition to the yardage which he is otherwise required to deliver in that next quarter.

(e) *Quarterly processing*. In each calendar quarter, beginning with the second quarter, 1946, every finished goods supplier shall put into process for finishing in a manner which will make them suitable for use as linings in feminine street wear, or will give them a finish customarily required for such use, yardages of the rayon fabrics listed in the Distribution Schedule at least sufficient to enable him to make the deliveries required under paragraph (d) above.

(f) *Form of certificate to be used*. The following is the form of certificate to be used under paragraphs (c) and (d) above, and (j) below:

The undersigned certifies to the seller and to CPA, subject to the criminal penalties of section 35 (a) of the U. S. Criminal Code, that he will use the material covered by this purchase order, or an equivalent yardage of similar material, only as linings for feminine street wear, or will finish and deliver such yardage only to persons who give this certificate.

Persons giving this certificate may use, finish, or dispose of fabrics they get with it only in accordance with its terms and the provisions of this order. The standard certificate in Priorities Regulation 7 may not be used instead of this certificate.

(g) *Calculations of yardage by finished goods suppliers*. In calculating the yardage which he is required to deliver under this order, a finished goods supplier may deduct from that yardage the actual and unavoidable shrinkage resulting from processing of the fabrics delivered to him on the certification in paragraph (f) above. For example, a finished goods supplier may have an actual processing shrinkage of 5% on rayon fabric received by him in the second calendar quarter, 1946, under the certification in paragraph (f) above. If he receives 100,000 yards of rayon fabrics listed opposite Reference No. 1 of the Distribution Schedule, under the certification, the quantity which he is required to deliver in that quarter under the certification is 95,000 yards.

(h) *Rules for filling certified and rated orders*—(1) *Certified orders*. No pro-

ducer or finished good supplier need accept or fill orders with the paragraph (f) certificate (whether CC rated or unrated) which would cause him to deliver during any calendar quarter more rayon fabrics on orders thus certified than the quantities required by this order. Within the quantities of fabrics required to be delivered on certified orders under paragraphs (c) and (d) above, however, CC rated orders which are also accompanied by the paragraph (f) certificate must be accepted and delivered in preference to unfilled orders which are certified but unrated.

(2) *Rated orders not certified*. Orders rated MM, and CC rated orders without the paragraph (f) certificate, may not be charged against the deliveries required under paragraphs (c) and (d) above. However, M-328B CC rated orders must be accepted and filled subject to the rules in Order M-328B and Schedule J and directions to M-328B; and other orders with MM and CC ratings not certified in accordance with paragraph (f) are still subject to the rules in Priorities Regulation 1. AAA rated orders must be accepted and filled regardless of this order.

(i) *Integrated operations*. Requisitions for intra-company deliveries of rayon fabrics from the producing mill shall be treated as if they were purchase orders, for the purposes of this order.

(j) *Application and extension of CC ratings for linings*. (1) Any person who applies or extends a CC rating on an order for any rayon fabrics to be used as linings for feminine street wear must furnish with his order the certification in paragraph (f) above.

(2) CC rated orders for rayon fabrics to be used as linings for feminine street wear which were unfilled on April 19, 1946, must be certified by the purchaser promptly, and in any event not later than April 30, 1946, by giving his supplier the certification in paragraph (f) above, with the addition of sufficient information to identify his previously placed order which is being certified. For example, in the certification the words "this purchase order" may be changed to "Our purchase order No. --- dated --- for --- yards of rayon fabrics", inserting the information needed by the supplier to identify the order. After April 30, 1946 any unfilled CC rated order for any rayon fabrics that the supplier knows or has reason to believe are to be used as linings for feminine street wear, which has not been certified by the purchaser, shall be treated by the seller as unrated.

(k) *Records and reports*—(1) *Records*. Each person participating in any transaction to which this order applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the material involved, in accordance with § 944.15 of Priorities Regulation 1.

(2) *Reports*. Subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942, all persons affected by this order shall execute and file with the Civilian Production Administration such reports as the CPA shall from time to time require.

(l) *Applicability of regulations.* Except as otherwise provided in this order, this order and all transactions affected thereby are subject to all applicable regulations of the CPA as amended from time to time.

(m) *Appeals.* Any person who considers that compliance with any restriction of this order would work an exceptional and unreasonable hardship, may appeal for relief. The appeal shall be made by filing a letter in triplicate with the Appeals Branch, Textile Division, Civilian Production Administration, Washington 25, D. C., Ref. M-391, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(n) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priority assistance.

(o) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to Textile Division, Civilian Production Administration, Washington 25, D. C., Ref. M-391.

Issued this 19th day of April 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

DISTRIBUTION SCHEDULE

(1)	(2)	(3)
Reference No.	Form CPA-658C, 4/9/46, item number	Percent of production of gray goods required to be delivered by producers for linings for feminine street wear
1	54: Bright viscose taffetas..... 55: Pigment viscose taffetas..... 56: Acetate taffetas..... 57: Cross dyed taffetas..... 61: Twills and serges (except 88-140 sley)..... 62: Plain viscose satins..... 63: Plain acetate satins..... 65: Crepe satins..... 66: Flat, faille, and canton crepes..... 67: French crepes.....	10

[F. R. Doc. 46-6609; Filed, Apr. 19, 1946; 11:25 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Mar. 1, 1946, Amdt. 1]

Rubber Order R-1, as amended March 1, 1946, Appendix I, is hereby further amended as follows:

1. In Table A of Appendix I, General Permitted Uses of Raw Materials, in the column entitled "Monthly consumption

for experimental use without specific authorization", opposite the material "Butyl", change the words "200 pounds" to "25 pounds".

2. In Table B of Appendix I, Permitted Products, in Code No. 10J, opposite the product "Industrial vacuum hose" insert in the column entitled "Percent Natural Rubber", the figure "3".

3. In Table B of Appendix I, Permitted Products, in Code 22-K, opposite the product "Sponge play balls", in the column entitled "Percent Natural Rubber" delete the figure "18".

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719, E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 19th day of April 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-6610; Filed, Apr. 19, 1946; 11:25 a. m.]

PART 4700—VETERANS' EMERGENCY HOUSING PROGRAM

[Veterans' Housing Program Order 1, Interpretation 1]

WATERPROOFING

The following interpretation is issued with respect to Veterans' Housing Program Order 1:

Paragraph (b) (2) of Veterans' Housing Program Order 1 provides that repainting, repapering and sanding floors where no change in a structure is made is not restricted or prohibited by the order. This provision exempts from the order the application of waterproofing to a building by spraying or painting where no change in the building is made. The preparation of the surfaces for waterproofing is within the exemption, if no alteration to or construction work on the building is involved, such as removing cornices or overhanging projections.

Issued this 19th day of April 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-6611; Filed, Apr. 19, 1946; 11:25 a. m.]

Chapter XI—Office of Price Administration

[MPR 598, Amdt. 9]

PART 1380—HOUSE AND SERVICE MACHINE INDUSTRY

POSTWAR HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 598 is amended in the following respects:

1. Section 3 (c) is amended to read as follows:

(c) "Distributor" means any person who is not a "manufacturer" and who in the course of trade or business regularly buys completed refrigerators for resale to persons other than ultimate consumers.

2. Section 3 (d) is amended to read as follows:

(d) "Dealer" means a person who buys completed refrigerators and regularly resells them to ultimate consumers.

3. New sections 3 (h), 3 (i), 3 (j), 3 (k), and 3 (l) are added to read as follows:

(h) "Wholesale consumer" means a person who purchases refrigerators for use rather than for resale, but who is not an "ultimate consumer". The term "wholesale consumer" includes but is not limited to builders purchasing refrigerators for use in equipping homes or apartment houses which they are building, and apartment house owners or operators purchasing refrigerators for use by tenants in the purchaser's apartment houses.

(i) "Private brand" means any refrigerator not offered for sale as a manufacturer's regular brand, but manufactured for a particular person or persons, whether or not such person's name or brand name appears thereon.

(j) "Private brand seller" means any person other than a manufacturer who sells refrigerators under a trade mark or brand name other than the manufacturer's and includes all subsidiaries, affiliates, branches or other companies or enterprises under common ownership or control with such person.

(k) "Model" means any refrigerator which has the same specification as those of a particular refrigerator for which a ceiling price has been established.

(l) "OPA industry price increase" means the increase in a manufacturer's ceiling price for sales of a particular model of refrigerator to a particular class of purchaser permitted by section 5 (b) of this regulation.

4. Section 5, *Repricing by special order* is amended to read as follows:

SEC. 5. *Adjustment of manufacturers' ceiling prices*—(a) *Reconversion adjustments to individual companies pursuant to applications filed prior to November 11, 1945.* Refrigerators are a reconversion product for which adjustments in ceiling prices have been found by the Price Administrator to be warranted in accordance with the reconversion pricing policy embodied in Amendment 67 to Maximum Price Regulation No. 188 and approved for industries not subject to Maximum Price Regulation No. 188 by Directive 78 issued by the Office of Economic Stabilization. Accordingly, orders have been issued under this section, adjusting ceiling prices established by section 4, to reflect legal increases (over 1941 factory costs) in a manufacturer's material prices and basic wage rate schedules of factory workers between October 1, 1941 and November 10, 1945 together with a profit factor as determined by this Office equal to the manufacturer's own average net profit margin (before

income taxes) for the period 1936-39, or one-half the industry average profit margin for that period, whichever is higher. In determining the amount of the adjustments authorized under this section the Office of Price Administration has acted on the basis of the cost information called for on OPA Form 663-2445 calculated in accordance with the instructions accompanying that form. Adjustments have been made under this section for manufacturers eligible to apply for an adjustment under Supplementary Order No. 119, and who applied for an adjustment under this section before November 11, 1945.

(b) *Industry-reconversion adjustment of ceiling prices.* Unless directed otherwise by an order issued by the Office of Price Administration under this section, every manufacturer who, before April 18, 1946, has established ceiling prices for his sales of the refrigerators he manufactures under any section of this regulation or an order under this regulation, or who, after April 17, 1946, establishes his ceiling prices under Sections 7, 9, or 10 of this regulation, may increase his ceiling prices so established by 8% of each price, exclusive of the Federal excise tax and any charges for delivery, installation and warranty. Orders will be issued under this section denying a manufacturer permission to adjust his ceiling prices by all or part of this increase when it appears to the Price Administrator from information available to the Office of Price Administration, that the manufacturer has discontinued production of his low end model of refrigerator, or has decreased the proportion of low priced to high priced models which he manufactures so that his present or prospective production of refrigerators is not representative of his production in that respect of refrigerators during the year July 1, 1940 to June 30, 1941. The average price at which the manufacturer's production of refrigerators will be sold will be considered in determining how much, if any, of the increase will be granted to such a manufacturer.

5. Section 7 (a) (4) is amended to read as follows:

(4) He shall find his markup factor by dividing the ceiling price of the comparable model by its unit direct cost. He must use his ceiling price to the class of purchaser (distributors, dealers, mill order houses, etc.) which buys from him in the greatest volume. The ceiling price which he uses for this purpose shall be the ceiling price exclusive of the Federal excise tax, the OPA industry price increase, any adjustments under Revised Supplementary Order No. 119, and any charges for delivery, installation, and warranty.

6. Section 7 (a) (5) is amended to read as follows:

(5) He shall multiply the unit direct cost of the model being priced by that markup factor. The result is his ceiling price (exclusive of the Federal excise tax, the "OPA industry price increase", any adjustments under Revised Supplementary Order No. 119, and any charges for delivery, installation, and

warranty) to the class of purchaser used in subparagraph (4). His ceiling prices to any other class of purchaser for the model being priced must be calculated on the basis of the percentage differential which he had in effect during the period October 1-15, 1941, for sales to that class of purchaser.

7. A new section 11a is added to read as follows:

SEC. 11a. Manufacturers' ceiling prices for sales to wholesale consumers. Unless an order issued under this section specifies otherwise, a manufacturer shall determine his ceiling price for sales of a particular refrigerator to a wholesale consumer as follows:

Step 1. He shall deduct from the OPA retail ceiling price established in appendix A of this regulation for the sale of the refrigerator to an ultimate consumer in the same zone, the amount included in that price to cover the Federal excise tax, delivery, installation, and the warranty given, and the OPA industry increase.

Step 2. He shall multiply the result of Step 1 by .825.

Step 3. He shall add to the result of Step 2 the applicable Federal excise tax and the amount deducted in Step 1 for delivery, installation, warranty and the OPA industry price increase. The result is his ceiling price for sales to wholesale consumers including delivery, installation, warranty and the Federal excise tax.

8. A new section 13a is added to read as follows:

SEC. 13a. Distributors' ceiling prices for sales to wholesale consumers. Unless an order issued under this section specifies otherwise, a distributor shall determine his ceiling price for sales of a particular refrigerator to wholesale consumers in the same manner as manufacturers determine their ceiling prices for sales to wholesale consumers under section 11a of this regulation.

9. Section 14 is amended to read as follows:

SEC. 14. Distributors' ceiling prices for sales to dealers. (a) A distributor who has determined his ceiling prices before April 18, 1946, for sales of a particular model of refrigerator to a particular class of purchasing dealer either under an order issued under section 13 of this regulation or under the provisions of section 14 may increase those ceiling prices by the dollar-and-cent amount of the manufacturer's OPA industry price increase and the resultant increase in the Federal excise tax.

(b) If a distributor's ceiling price for sales of a particular model of refrigerator to a particular class of purchasing dealer cannot be determined under paragraph (a) of this section or has not been established by an order issued under section 13 after April 17, 1946, he shall determine his ceiling price under the first applicable rule of the following:

Rule 1. A distributor's ceiling price for sales in each zone of each model to each class of purchasing dealer shall be the price which will yield the distributor the same percentage of the total dollar margin between the manufacturer's price to him (not exceeding the manufacturer's ceiling price to him) and the dealer's ceiling price for resales to ultimate consumers in that zone as he re-

ceived on March 30, 1942, in connection with the sale of the most "comparable" model sold by him to the same class of purchasing dealers. To be "comparable", a model must be one produced by the same manufacturer.

Rule 2. If a distributor cannot determine his ceiling price for sales of a particular model to a particular class of purchasing dealers under Rule 1, his ceiling price for that sale is the ceiling price established under paragraph (a) or Rule 1 of this section for the same sale by the "closest seller of the same class" who has so determined a ceiling price. A distributor's "closest seller of the same class" is a distributor who (a) has established a ceiling price for sales of the identical model of refrigerator to the same class of purchasing dealer and (b) is the same general class of seller, and (c) is located in the same price zone and is nearer to the seller than any other seller who meets requirements (a) and (b) of this definition.

Rule 3. If a distributor cannot determine his ceiling price for sales of a particular model to a particular class of purchasing dealer under either paragraph (a) or Rules 1 or 2 of this section, his ceiling price for that sale is the ceiling price established by the Office of Price Administration in an order under this section. An application under this rule shall state the name and address of the applicant, the name of the manufacturer of the refrigerator being priced, its model designation, the classes of purchaser to whom the applicant proposes to sell the refrigerator, the ceiling prices he proposes for such sales, and a statement of the reasons why he cannot use the other rules in this section to fix his ceiling prices. Until ceiling prices are fixed for his sales under this regulation, a distributor who has applied for the establishment of his ceiling prices under this rule may not make sales or deliveries of any model covered by his application to the class of purchasers named therein.

10. Section 15 is amended to read as follows:

SEC. 15. Dealers' ceiling prices—(a) Prices set forth in section 24, Appendix A. Unless an order issued under paragraph (b) of this section specifies otherwise, a dealer's ceiling prices for sales of a particular model of refrigerator sold by the manufacturer after April 17, 1946, at prices adjusted under section 5 (b) is the applicable price set forth in Appendix A increased by either (1) the dollar-and-cent amount of the increase allowed the manufacturer by section 5 (b) in his ceiling price for sales of the same model to distributors (including the resulting increase in the Federal excise tax) if he customarily sells the model to distributors, or (2) the dollar-and-cent amount of the increase allowed the manufacturer by section 5 (b) in his ceiling price for sales of the same model to dealers (including the resulting increase in the Federal excise tax) he customarily sells the model directly to dealers. A dealer's ceiling price for sales of a particular model of refrigerator sold by the manufacturer prior to April 18, 1946, is the applicable price set forth in section 24, Appendix A.

Ceiling prices will be established for dealers' sales of models not listed in Appendix A or covered by an order under paragraph (b) of this section by amendment to Appendix A. Ceiling prices so established will be fixed in line with the level of retail ceiling prices established under this regulation. No refrigerator may be sold at retail unless a retail ceiling

ing price has been established for its sale in accordance with this section.

(b) *Prices for private brands not listed in section 24, Appendix A.* A dealer's ceiling price for sales of any private brand refrigerator not listed in section 24, Appendix A of this regulation is the ceiling price authorized by the Office of Price Administration by an order issued under this paragraph for sales of the particular model in line with the level of retail ceiling prices established under this regulation.

An application for the establishment of a ceiling price of any model priced under this paragraph may be made by either the manufacturer of the model or the private brand seller selling the model. Applications under this paragraph shall contain the names of the manufacturer and private brand seller, the model designation of the model, a list of its major specifications, photograph or other illustrations of the model and the ceiling price proposed for sales of the model to ultimate consumers.

(c) *Credit charges.* (1) Dealers who during the period October 1-15, 1941, collected a separately stated additional charge for the extension of credit on sales of refrigerators, may collect a charge for the extension of credit under this regulation, not exceeding such charge during the period October 1-15, 1941, on a similar sale on similar terms to the same class of purchaser. Dealers who did not so state and collect an additional charge, may collect a charge for the extension of credit only on installment plan sales; and the charge shall not exceed the separately stated additional charge for the extension of credit on a similar sale on similar terms to the same class of purchaser during the period October 1-15, 1941, by the dealer's closest competitor who made a separately stated charge.

An installment-plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (i) six weeks or more from the date of sale in the case of weekly installments, or (ii) eight weeks or more in the case of other than weekly installments.

(2) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this subparagraph, shall, for the purposes of this regulation, be considered to be part of the price charged for the refrigerator sold.

(3) No dealer may require as a condition of sale that the consumer must buy on credit.

11. Section 17 is amended to read as follows:

Sec. 17. *Labelling.* (a) No person, except a mail order seller, covered by Order No. 7 under this regulation, may offer for sale, sell or deliver any refrigerator unless there is attached to the inside of the refrigerator where it can readily be seen and read, a label provided by the manufacturer which contains all the information required in paragraph (b) of this section.

(b) Unless an order under this regulation specifies otherwise, no manufacturer may ship any refrigerator covered

by this regulation to a distributor or dealer unless there is securely attached to the inside of the refrigerator in a place where it can readily be seen and read, a label containing the OPA retail ceiling price or prices of the refrigerator, a description of the area in which each price is applicable, the brand name and model designation of the refrigerator, a statement of what the price includes as described in section 24, Appendix A, and a statement that the label may not be removed until after the refrigerator is delivered to an ultimate consumer.

(c) The manufacturer shall determine the retail ceiling price or prices for any refrigerator he sells in accordance with the provisions of sections 15 and 24 of this regulation.

12. Section 24, Appendix A is amended by changing the text preceding the table of models and retail prices therein to read as follows:

Sec. 24. *Appendix A: Ceiling prices for dealers' sales of refrigerators.* Except as they are modified by the provisions of section 15 of this regulation, the ceiling prices for sales by dealers of the refrigerator models listed below are the applicable prices listed in this appendix. Unless it is specified otherwise in this appendix the prices listed include:

(a) Delivery.

(b) A five year warranty in the case of electric refrigerators; and in the case of gas and kerosene refrigerators, the warranty customarily given by each dealer except that dealers who provide only the manufacturer's one year warranty shall determine their ceiling prices for such refrigerators by deducting \$4.00 from the applicable ceiling price shown below for the particular refrigerator.

(c) Federal excise tax.

(d) In the case of an electric refrigerator, installation to electric facilities provided by the consumer, or, in the case of a gas refrigerator, installation to gas facilities provided by the consumer if the installation does not require the dealer to provide more than five feet of pipe or tubing.

The ceiling prices listed do not include State or local taxes imposed at the point of sale. No charge may be added for the extension of credit by the dealer to the ceiling prices in this appendix except in accordance with paragraph (c) of section 15 of this regulation.

The zones shown in the table vary from brand to brand. Zone boundaries, where more than one zone price is listed, are those specified in this section. Where no zone boundaries are specified zone boundaries are those shown on maps on file with the Office of Price Administration and each district and regional office thereof.

This amendment shall become effective on the 18th day of April 1946.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6573; Filed, Apr. 18, 1946;
4:20 p. m.]

[SR 14E, Amdt. 39]

PART 1499—COMMODITIES AND SERVICES

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TEXTILES, LEATHER AND APPAREL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 2.14 is added to read as follows:

Sec. 2.14 *Maximum price for dyed cotton yarn—(a) Definitions and explanations.* For the purpose of this section, the terms appearing herein, unless the context otherwise requires, shall be construed as follows:

(1) "April 5 ceiling price for grey yarn" means the ceiling price on April 5, 1946; for base grade yarns it means the price set forth in column 1 or 3 of Table A.

(2) "Appropriate grey yarn" means grey, mercerized and/or gassed grey yarn of the same description as the dyed yarn being priced, except for color.

(3) "Producer" means any spinner, excluding commission dyers, who dyes raw cotton or cotton yarn, or who causes cotton yarn to which he retains title to be dyed.

(4) "Commission dyer" means any dyer whose business is primarily the dyeing of yarn for others, and who, if a spinner, in 1945 dyed at least twice the poundage of yarn he spun.

(b) *Producers' maximum prices—(1) Adjustment of GMPR prices of certain producers.* If you are a producer of dyed cotton yarn (and not a commission dyer as defined herein), and if you delivered or offered for delivery any dyed yarn in March, 1942, your maximum prices shall be:

(i) *For the same dyed yarn.* To determine your ceiling price for a dyed yarn identical with a dyed yarn delivered or offered for delivery by you in March 1942, add to your maximum price determined under § 1499.2 (a) (1) of the General Maximum Price Regulation the cents per pound increase set forth in columns 2 or 4 of Table A for the appropriate grey yarn.

(ii) *For a different dyed yarn.* To determine your ceiling price for a dyed yarn different from any delivered or offered for delivery by you in March 1942:

(a) First, select the yarn most comparable to that which you are pricing from the dyed yarns which you delivered or offered for delivery in March 1942, by applying the following classifications successively:

(1) The same or nearest in manner or dyeing (i. e., stock, package, skein, warp, etc.).

(2) The same or nearest in class of dye (i. e., developed, sulphur, direct, etc.).

(3) The same or nearest in cost of dyestuff and dyeing.

¹10 F.R. 1183, 2014, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 10021, 11401, 12601, 12612, 13271, 13692, 13326, 14506, 14742, 15007, 15036, 15457; 11 F.R. 115, 348, 405, 407, 560, 677, 889, 949, 1405, 1594, 1850, 246, 3090, 3158, 3366.

(4) The same or nearest in depth of color (i. e., dark, medium, light).

(5) The same or nearest in type, count and ply of grey yarn.

(b) Second, in accordance with subdivision (i) above, determine the present maximum price for the most comparable dyed yarn by adding the cents per pound increase in the appropriate grey yarn as set forth in columns 2 or 4 of Table A.

(c) Third, if the count or ply, or both, of the dyed yarn being priced differs from that of the most comparable dyed yarn, obtain the difference in cents per pound between the grey yarn ceiling prices for the two yarns in columns 1 or 3 of Table A, and add the cents per pound difference if the ceiling price is higher for the dyed yarn being priced, or subtract the cents per pound difference if the ceiling price is higher for the most comparable dyed yarn.

(d) Fourth, if the current total cost of dyestuff and dyeing of the dyed yarn being priced differs from that of the most comparable dyed yarn, determine the cents per pound difference in that cost, and add the difference if the cost is higher for the dyed yarn being priced, or subtract the difference if the cost is higher for the most comparable dyed yarn.

(2) Producers who did not deliver or offer for delivery any dyed yarn during March 1942—(i) Yarn dyed in your own plant. If you are a producer who did not deliver or offer for delivery any dyed yarn during March 1942, your maximum price for yarn dyed in your own plant is the sum of the April 5 ceiling price for the appropriate grey yarn, properly adjusted for shrinkage in dyeing, and 105% of the total cost (i. e., direct cost plus properly allocable overhead) of dyestuff and dyeing of the yarn being priced.

(ii) Yarn dyed elsewhere than your own plant. If you are a producer who did not deliver or offer for delivery any dyed yarn during March 1942, your maximum price for yarn dyed elsewhere than in your own plant is the sum of the April 5 ceiling price for the appropriate grey yarn, properly adjusted for shrinkage in dyeing, plus the actual cost incurred by you for dyeing the yarn being priced.

(c) Maximum prices for dyed yarn sold by commission dyers. If you are a commission dyer, as defined herein, selling yarn dyed in your own plant, your maximum price shall be the sum of the cost of the grey yarn (not to exceed the producer's ceiling price applicable to the grey yarn used) properly adjusted for shrinkage, and your ceiling price for dyeing which would be applicable under Maximum Price Regulation 165² were the yarn dyed by you on a commission basis.

(d) Maximum price for dyed yarn sold by jobbers. A jobber³ may:

(1) Sell to a given customer broken-case⁴ lots or dyed yarn in quantities of 1,500 pounds or less per calendar month at a premium over cost⁵ of 9 percent and in quantities in excess of 1,500 pounds per calendar month at a premium of 4.5 percent: *Provided*, That in no event shall sales of broken-case lots at a premium, irrespective of quantity per sale, exceed 15,000 pounds in any calendar month to all of the seller's customers.

(2) Sell dyed yarn in lots of 1 to 3 unbroken cases at a premium of 4.5 percent: *Provided*, That except as set forth below no jobber may avail himself of this premium on that portion of his sales in any calendar month which is in excess of 3,000 pounds to the same customer or 20,000 pounds to all of his customers.

(e) Maximum prices for dyed yarn sold by other sellers. If you are a seller of dyed yarn not authorized to charge the maximum price established for producers, commission dyers, or jobbers, your maximum price shall be the sum of the cost of the grey yarn (not to exceed the producer's ceiling price applicable to the grey yarn used), and the actual cost incurred by you in or for dyeing the dyed yarn being priced.

(f) Fugitive dyed yarn. The maximum price for fugitive-dyed or fugitive-tinted yarn is the April 5 ceiling price for the appropriate grey yarn.

(g) Maximum price for dyed yarn in excess of Civilian Production Administration limitations. The maximum price for any dyed yarn delivered in any calendar month in excess of applicable delivery limitations imposed by the Civilian Production Administration shall be the April 5 ceiling price for the appropriate grey yarn. For the purpose of the foregoing, the dyed yarn first delivered during any quarter in the aggregate amount of the producer's dyed yarn quota under applicable Civilian Production Administration limitations shall be regarded as that permissibly delivered.

purchased as such, or purchased in the grey and dyed for his account, and (3) at least 75% of whose sales of dyed yarn during the calendar month preceding any given transaction consisted of stock yarn sales. The term "stock yarn," as used herein, means dyed yarn owned by a person independent of the producer thereof, and stored in a space (1) owned or leased by such person on February 1, 1942; (2) owned or leased by such person and located within 25 miles of his principal place of business; or (3) approved by the Administrator, upon a duly filed petition for adjustment or exception as a stock yarn warehouse established to carry out a legitimate distributive function and not for the purpose of evading this section; the term "independent" means not controlling, controlled by or under common control with.

⁴As used herein, the term "broken-case" means a case from which at least 25% of the contents have been removed.

⁵As used herein "cost" means the actual cost of the purchased dyed yarn if bought as dyed yarn, or the actual cost of the purchased grey yarn plus the actual cost of dyeing, if bought as grey yarn and subsequently dyed.

TABLE A

(April 5, 1946, base grade grey yarn ceiling prices and increases since March 1942)

CARDED YARNS
(Cents per pound)

Yarn Nos.	Band A ¹		Band B	
	Column 1	Column 2	Column 3	Column 4
	Apr. 5 ceiling price ²	Increase since March 1942	Apr. 5 ceiling price ¹	Increase since March 1942
Singles:				
6s and under.....	44.75	6.75	43.25	5.25
8s.....	45.25	6.75	43.75	5.25
10s.....	46.00	7.00	44.50	5.50
12s.....	47.00	7.50	45.50	6.00
14s.....	48.00	8.00	46.50	6.50
16s.....	49.25	8.75	47.75	7.25
18s.....	50.25	9.25	48.75	7.75
20s.....	51.25	9.75	49.75	8.25
22s.....	52.50	10.50	51.00	9.00
24s.....	53.75	11.25	52.25	9.75
26s.....	55.00	12.00	54.00	10.50
28s.....	56.50	12.00	55.00	10.50
30s.....	57.75	12.25	56.25	10.75
32s.....	59.00	13.00	57.75	11.25
34s.....	60.75	13.25	59.00	11.50
36s.....	61.75	13.25	60.00	11.50
38s.....	63.00	13.50	61.25	11.75
40s.....	64.00	13.50	62.25	11.75
42s.....	65.75	13.75	64.00	12.00
44s.....	67.75	14.25	65.75	12.25
46s.....	69.50	14.50	67.50	12.50
48s.....	71.25	14.75	69.25	12.75
50s.....	73.50	15.00	71.50	13.00
Plied:				
6s and under.....	47.25	5.25	45.75	3.75
8s.....	47.75	5.25	46.25	3.75
10s.....	48.75	5.75	47.25	4.25
12s.....	50.25	6.75	48.75	5.25
14s.....	52.00	8.00	50.25	6.25
16s.....	53.25	8.75	51.50	7.00
18s.....	54.50	9.50	52.75	7.75
20s.....	55.75	10.25	54.00	8.50
22s.....	57.50	11.00	55.75	9.75
24s.....	59.25	12.75	57.50	11.00
26s.....	61.50	14.00	59.75	12.25
28s.....	63.00	14.50	61.25	12.75
30s.....	64.75	15.25	63.00	13.50
32s.....	66.25	15.75	64.50	14.00
34s.....	68.25	16.25	66.25	14.25
36s.....	69.25	15.75	67.25	13.75
38s.....	70.50	16.00	68.50	14.00
40s.....	72.00	16.50	70.00	14.50
42s.....	74.50	17.50	72.50	15.50
44s.....	76.25	17.75	74.00	15.50
46s.....	78.00	18.00	75.75	15.75
48s.....	80.00	18.50	77.75	16.25
50s.....	82.00	18.50	79.75	16.25

COMBED YARNS

Singles:				
8s.....	52.75	11.25	50.75	9.25
10s.....	53.25	11.25	51.25	9.25
12s.....	53.75	11.25	51.75	9.25
14s.....	54.25	11.25	52.25	9.25
16s.....	55.00	11.50	53.00	9.50
18s.....	55.75	11.75	53.75	9.75
20s.....	56.75	12.25	54.75	10.25
22s.....	57.75	12.75	55.75	10.75
24s.....	59.00	13.00	56.75	10.75
26s.....	60.25	13.25	57.75	10.75
28s.....	61.50	13.50	59.25	11.25
30s.....	63.00	14.00	60.75	11.75
32s.....	64.75	14.75	62.25	12.25
34s.....	66.50	15.50	63.75	12.75
36s.....	68.25	15.75	65.25	12.75
38s.....	70.00	16.00	66.75	12.75
40s.....	71.75	16.25	68.25	12.75
42s.....	73.50	16.50	69.75	12.75
44s.....	75.25	16.25	71.25	12.25
46s.....	77.00	16.00	72.75	11.75
48s.....	78.75	15.75	74.75	11.75
50s.....	80.75	15.25	76.75	11.25
52s.....	83.00	15.50	78.75	11.25
54s.....	85.25	15.75	80.75	11.25
56s.....	87.50	16.00	82.75	11.25
58s.....	89.75	16.25	84.75	11.25
60s.....	92.00	16.50	86.75	11.25
62s.....	94.25	16.75	88.75	11.25
64s.....	96.50	17.00	90.75	11.25
66s.....	98.75	17.25	92.75	11.25
68s.....	101.00	17.50	94.75	11.25
70s.....	103.25	17.75	96.75	11.25
72s.....	105.50	18.00	98.75	11.25

Footnotes at end of table.

¹10 F.R. 2097, 2250, 3925, 6231, 7854, 14449.

²As used herein, "jobber" means a person who (1) neither owns nor operates a spinning mill or dyeing plant, (2) resells dyed yarn

TABLE A—Continued

(April 5, 1946, base grade grey yarn ceiling prices and increases since March 1942)

COMBED YARNS—continued

[Cents per pound]

Yarn Nos.	Band A ¹		Band B	
	Column 1	Column 2	Column 3	Column 4
	Apr. 5 ceiling price ²	Increase since March 1942	Apr. 5 ceiling price ²	Increase since March 1942
Singles—Con.				
74s.....	107.75	18.25	100.75	11.25
76s.....	110.00	18.50	102.75	11.25
78s.....	112.25	18.75	104.75	11.25
80s.....	114.50	19.00	106.75	11.25
82s.....	116.75	19.25	108.75	11.25
84s.....	119.75	19.25	111.75	11.25
86s.....	123.75	19.25	115.75	11.25
90s.....	131.75	19.25	120.75	11.25
100s.....	155.75	23.25	144.75	12.25
110s.....	179.75	27.25	166.75	14.25
120s.....	207.75	31.75	191.75	15.75
130s.....	243.75	35.75	226.75	18.75
140s.....	297.75	44.75	276.75	23.75
Filed:				
8s.....	55.25	10.75	53.25	8.75
10s.....	55.75	10.75	53.75	8.75
12s.....	56.75	11.25	54.75	9.25
14s.....	57.75	11.75	55.75	9.75
16s.....	58.75	12.25	56.75	10.25
18s.....	59.75	12.75	57.75	10.75
20s.....	61.00	13.00	58.75	10.75
22s.....	62.50	13.50	60.25	11.25
24s.....	64.00	14.00	61.75	11.75
26s.....	65.75	14.75	63.25	12.25
28s.....	67.50	15.50	65.25	13.25
30s.....	69.50	16.50	67.25	14.25
32s.....	71.50	17.00	68.75	14.75
34s.....	73.50	17.50	70.75	14.75
36s.....	75.50	18.00	72.25	14.75
38s.....	77.50	18.50	73.75	14.75
40s.....	79.50	18.50	75.75	14.75
42s.....	81.50	18.50	77.75	14.75
44s.....	83.50	18.50	79.25	14.25
46s.....	85.50	18.50	80.75	13.75
48s.....	87.50	18.50	82.75	13.75
50s.....	89.50	18.00	84.75	13.25
52s.....	91.75	18.25	86.75	13.25
54s.....	94.00	18.50	88.75	13.25
56s.....	96.25	18.75	90.75	13.25
58s.....	98.75	18.75	93.25	13.25
60s.....	101.25	18.75	95.75	13.25
62s.....	103.75	19.25	97.75	13.25
64s.....	106.25	19.75	99.75	13.25
66s.....	108.75	20.25	101.75	13.25
68s.....	111.25	20.25	104.00	13.00
70s.....	113.75	20.25	106.75	13.25
72s.....	116.25	20.75	108.75	13.25
74s.....	118.75	21.25	110.75	13.25
76s.....	121.25	21.75	112.75	13.25
78s.....	123.75	22.25	114.75	13.25
80s.....	126.25	22.75	116.75	13.25
82s.....	128.75	21.25	119.75	12.25
84s.....	131.75	20.25	123.75	12.25
86s.....	135.75	19.25	127.75	11.25
90s.....	145.75	21.25	137.75	13.25
100s.....	175.75	29.25	163.75	17.25
110s.....	205.75	37.25	189.75	21.25
120s.....	235.75	43.25	216.75	24.25
130s.....	281.75	50.75	261.75	30.75
140s.....	351.75	64.75	326.75	39.75

¹ If you are a producer qualified under Supplementary Order 131 to charge Band A prices for carded or combed yarn, or if you are a producer, commission dyer, jobber or other seller of dyed yarn who pays Band A prices for the carded or combed grey yarn used in the dyed yarn you are pricing, use the applicable columns under Band A. All other sellers must use the Band B columns.

² Any seller of dyed yarn, who normally purchased the major portion of grey yarn used in his dyed sales yarn, may include in the April 5 ceiling price, the 5% producers' premium, if such premium was actually charged for the grey yarn used in the dyed yarn being priced. Producers pricing dyed sales yarn may not include the 5% producers' premium for grey yarn, whether spun or purchased, in their computation of dyed yarn maximum prices. In all cases, the cents per pound increase factors in columns 2 and 4 will be used as set forth.

This amendment shall become effective April 18, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6571; Filed, Apr. 18, 1946;
4:20 p. m.]

[MPR 426,¹ Amdt. 176]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 4 (Maximum Prices for Snap Beans (Green or Wax)), footnote 5 is amended to read as follows:

² During the period April 19 through April 30, 1946, the figure "\$3.25" in item 3, columns 5 and 6, is changed to "\$4.00" and the figure "11.6" item 9, column 5, is changed to "14.3". During the period May 1 through May 20, 1946, the figure "\$2.70" in item 4, columns 5 and 6 is changed to "\$3.20" and the figure "9.6" in item 10, column 5, is changed to "11.4".

The amendment shall become effective at 12:01 a. m. April 19, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

Approved: April 17, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-6572; Filed, Apr. 18, 1946;
4:20 p. m.]

PART 1305—ADMINISTRATION

[SO 142,¹ Incl. Amdts. 1-3]

ADJUSTMENT PROVISIONS FOR SALES OF INDUSTRIAL MACHINERY AND EQUIPMENT

This compilation of Supplementary Order 142 includes Amendment 3, effective April 24, 1946. The text amended by Amendment 3 is underscored.

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.²

AUTHORITY: § 1305.170 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691.

SECTION 1. General purposes. This supplementary order provides methods of adjusting the maximum prices for any product or services and is applicable to all products and services (except auto-

¹ 10 F.R. 8021, 7500, 7539, 7578, 7668, 7683, 7799, 8069, 8239, 8238, 8612, 8467, 8611, 8657, 8905, 8936, 9023, 9118, 9119, 9277, 9447, 9623, 9928, 10087, 10025, 10229, 10311, 10303, 11072, 12213, 12084, 12408, 12447, 12532, 12637, 12702, 12745, 12960, 13129, 13271, 13313, 13369, 13595, 13776, 14027, 15035, 15174; 11 F.R. 557, 608, 1102, 1356, 1213, 1526, 1819, 1819, 2931, 2771, 2822, 3158, 3089, 3300, 3600, 3792.

² 10 F.R. 14956.

³ Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

motive trucks, motorcycles and buses) covered by any of the following regulations: Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment; Maximum Price Regulation 67—New Machine Tools; Maximum Price Regulation 246—Manufacturers and Wholesale Prices for Farm Equipment; Maximum Price Regulation 351—Ferrous Forgings; Maximum Price Regulation 523—Plastics Products; Maximum Price Regulation 82—Wire and Cable, and Maximum Price Regulation 581—Industrial Services, Maximum Price Regulation 452 (Manufacturers' Maximum Prices for Automotive Parts).

[Above paragraph amended by Am. 2, 11 F.R. 2973, effective 3-25-46]

Insofar as the provisions of this order differ from the adjustment provisions contained in any of the above-listed regulations, those provisions are superseded by this order.

[Sec. 1 amended by Am. 1, 10 F.R. 15384, effective 12-27-45]

SEC. 2. Individual applications—(a) Qualifications. Adjustments will be given under the provisions of this section only with respect to the products which are covered by one or more of the regulations listed in section 1.

(b) *How adjustments will be computed.* In general, the OPA will treat adjustments in three different categories. The first category is called the "overall adjustments." This will ordinarily apply where the applicant submits his application for adjustment in the maximum prices of all his products which are governed by any of the regulations listed in section 1.

[Paragraphs (a) and (b) amended by Am. 2, 11 F.R. 2973, effective 3-25-46]

The second category is called the "divisional adjustment." This adjustment will apply whenever the applicant applies for a price adjustment on a single line or several single lines of products, on the products of a division of his business, or on the products of one of his plants.

The third category is called the "individual item adjustment," and will be used wherever the applicant applies for the adjustment of the maximum prices of one or more single items of his line or lines of products.

These three different adjustment categories will in turn be treated upon two different bases. The first basis will be used where OPA finds that the applicant's recent operating experience can be considered normal. The second basis is where the OPA finds that the recent operating experience cannot be considered normal.

In determining whether or not the recent operating experience can be considered normal, OPA will examine:

(1) Whether the sales of the products covered by the application, during the most recent acceptable accounting period, approximated the 1941 level, and whether there has been a significant change in the level of sales during the most recent accounting period from the level of the sales during the immediately preceding period.

(2) Whether the sales for the recent period of the major groups of products of the applicant were approximately the same proportions as (i) were sales in the fiscal year ended nearest to December 31, 1941, or (ii) anticipated sales for the ensuing year.

(3) Whether the profit and loss statement for the most recent acceptable accounting period reflects any abnormal conditions of major significance.

Generally speaking, where the applicant's recent operating experience may be considered normal, the adjustment will be based upon adjusted current costs. Where, however, the applicant's recent operating experience cannot be considered normal, a projection of the applicant's 1941 costs from his 1941 profit and loss statement will be used in estimating the cost basis for the adjustment.

In the case of the over-all adjustment, the applicant will, in general, be allowed adjusted total costs plus a reasonable margin of profit. In the case of "divisional adjustments", the applicant will be allowed adjusted total costs, and in the case of "individual item adjustments", the applicant will be allowed adjusted factory costs.

In making any of these adjustments, OPA will also consider whether an industry price increase factor, for one or more of the applicant's products or product lines, has been announced, or an industry survey is in process.

In stating the methods of adjustment, it has been assumed that the year 1941 will represent, for the applicant, the last normal pre-war year, but the applicant may demonstrate to the OPA that, due to the impact of war orders or governmental restrictions on the manufacture of products or the use of materials or facilities, sales for the year 1941 were not representative of normal peacetime operations. In such cases, a more representative peacetime year may be selected by the applicant, subject to OPA approval.

If a seller has received an adjustment of his maximum prices on the over-all adjustment basis under the provisions of this paragraph, he may not thereafter apply under the provisions of this paragraph for adjustment of his maximum prices on the divisional or individual item adjustment basis, and if a seller has received an adjustment under the provisions of this paragraph on the divisional adjustment basis, he may not thereafter apply under the provisions of this paragraph for an adjustment on the individual item adjustment basis for any product falling within the product line or manufactured by the division or plant for which he has received adjustment, unless, in either case, the seller can show to the satisfaction of the OPA that there

has been a substantial change in his cost structure since the date of his last application.

In computing adjusted costs, OPA will generally recognize increased costs of materials and parts from the level of supply from which such materials and parts are purchased in normal periods, and wage and salary increases which are approved within the meaning of Executive Order 9697.

[Paragraph (b) amended by Am. 3, effective 4-24-46]

(c) *Applications based upon an appropriate decrease of other prices.* (1) Upon application of the seller, the OPA may make an adjustment of the maximum price of a product if the seller agrees to make and (simultaneously with an increase in the maximum price that may be authorized under this paragraph (c)) accepts as new maximum prices a reduction in other selling prices which will equal or exceed the total dollar amount of the adjustment granted under this paragraph.

(2) The OPA, upon its own motion or upon application from the seller, may also make an adjustment of the maximum prices of products for which the seller has made application or has received adjustment under paragraph (b) on the over-all or divisional adjustment basis so that the price increase allowed may be applied in varying amounts to several products or lines of products. In making such adjustments, OPA may consider (i) the general level of prices of the products for which adjustment is proposed; (ii) the cost of the products for which adjustment is proposed; (iii) the average profitability of all the seller's products; (iv) the effect of the adjustment upon price control with respect to other commodities.

(3) An application for price adjustment under this paragraph (c) must show that if the proposed adjustment is granted the gross dollar amount of sales of the products affected by the adjustment will not be greater than it would have been in the absence of the adjustment, and that the general level of the prices of these products to the ultimate users will not be increased by reason of this adjustment under this paragraph. Whenever the OPA grants such an adjustment, it may require appropriate reports relating to the products affected.

(d) *Resellers.* (1) *Maximum prices for products covered by Maximum Price Regulation 453.* With respect to maximum prices for sales by resellers under Maximum Price Regulation 453 which are manufacturers' suggested resale list prices, manufacturers shall adjust such resale list prices when their maximum prices on which the resale list prices are based are adjusted by order issued under this section. The adjustment shall be made by multiplying the previously established suggested resale list prices by a percentage to be determined by dividing the manufacturer's applicable adjusted maximum price by his maximum price prior to the adjustment.

In the case of maximum prices for non-list sales by resellers under Maxi-

mum Price Regulation 453, manufacturers shall notify resellers of the dollar-and-cents amounts of adjustments in their (the manufacturers') maximum non-list prices. Resellers shall determine adjusted maximum non-list prices in accordance with section 7 of Maximum Price Regulation 453.

(2) *Maximum prices for products covered by Maximum Price Regulations 246 and 67.* Resellers of products which are covered by Maximum Price Regulation 246 or Maximum Price Regulation 67, and for which the maximum prices for sales by the manufacturer have been adjusted under this section, shall continue to compute their maximum prices for resale of such products under the applicable provisions of those regulations in the same manner that they would have computed maximum prices if the adjustment had been made under the provisions of those regulations.

(3) *Maximum prices for products covered by the other regulations listed in section 1.* Unless the adjustment order issued to the manufacturer shall specify a different method of determining maximum prices for sales by resellers, maximum prices for sales by resellers of the products (other than those covered by MPR 67, MPR 246 and MPR 453), for which an increase in the maximum price has been approved for a manufacturer by an order issued under the provisions of this section shall be the maximum net price that the reseller had in effect to a purchaser of the same class just prior to the issuance of this order, plus the amount, in dollars and cents, by which the order authorizing the new maximum price has increased his former net invoiced cost. In such cases, the manufacturer shall notify each of his resellers of the dollars and cents amounts by which this order permits the resellers to increase their maximum prices.

[Paragraph (d) amended by Am. 2, 11 F.R. 2973, effective 3-25-46]

(e) *How the seller proceeds in applying for an adjustment under this section.* (1) *Application forms.* A seller who desires to apply for an adjustment may apply at the same time for an adjustment under paragraphs (b) and (c) if the facts of his case warrant it. In such cases, the office considering his application will give the adjustment under paragraph (b) before applying paragraph (c). An application for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1 and shall be made on copies of Form OPA-6083:2644, Form OPA-6083:2645, or Form OPA-6083:2646, set out in Appendix A of this order, if the application is filed under paragraph (b). No stated form of application is provided for applications under paragraph (c).

(2) *Where to file.* Applications shall be filed in the OPA National Office, except in cases where the seller's total sales of all commodities during the previous year were less than the following amounts: if the applicant includes products under Maximum Price Regulation 246, the amount is \$300,000; otherwise, the amount is \$500,000. All other applications shall be filed with the Regional Office of the OPA located in the

same region in which the seller's business is located.

(3) *Application based on proposed wage or salary increase to be approved by authorized Federal agency.* A seller who believes that the conditions for an adjustment set forth in paragraph (b) would exist if an authorized Federal agency should approve a pending application for wage or salary increase pursuant to Executive Orders 9599 and 9651 and 9697 and such directives and instructions thereunder as are issued by the Stabilization Administrator, may file an application for adjustment under this paragraph.

[Subparagraph (3) amended by Am. 3, effective 4-24-46]

(f) *Prices for deliveries made pending disposition of the application.* A seller who has filed an application under paragraph (e) for adjustment of maximum prices under paragraph (b) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the seller wants to have adjusted. However, no payment in excess of that existing maximum price may be received until final disposition is made of the application. Where the application is disposed of by an order issued under this section, the price received for deliveries made subsequent to the filing of the application may not exceed the maximum price as determined by the OPA. Where the application is disposed of by an order of general applicability, payment in excess of the maximum price in effect at the time of delivery may be made for deliveries made pending disposition of the application, only as expressly authorized by order of the Price Administrator. The provisions of this paragraph are not applicable to sellers applying under paragraph (c).

A seller who wishes to enter into such an arrangement must specifically state to the buyer the following:

(1) The maximum price for the product;

(2) The fact that the appropriate application for an adjustment of that maximum price has been filed with the OPA; and

(3) The fact that the specific price quoted by him is subject to the approval of the OPA.

(g) *Delegation of authority.* Any Regional Administrator and any District Director, who has been authorized to act by the Regional Administrator having jurisdiction over his district may adjust maximum prices under this section 2 of this Supplementary Order 142.

[Paragraph (g) added by Am. 1, 10 F.R. 15384, effective 12-27-45]

(h) *Automatic pricing.* This paragraph applies to applications for adjustment on the individual item adjustment basis (Form OPA 6083:2646). OPA will acknowledge, in writing, the docketing of such applications (either in the Regional Office or in the National Office in Washington, D. C.). If the OPA fails to act upon the application within twenty (20) days after the date of docketing of the application, the new proposed maximum price, computed in the manner pre-

scribed by this section, shall then be deemed to be approved. The act of OPA within the meaning of this paragraph shall consist of: (1) An order of denial, or (2) a letter or telegram addressed to the applicant at the address stated in his application either requesting additional information or stating that the applicant's computations appear to be incorrect or requesting a review of the applicant's books of account. If OPA

later determines that these adjusted maximum prices have not been properly computed, it may disapprove such prices at any time. Notice of such disapproval shall be in the form of a letter sent to the applicant at the address stated in his application, but such disapproval shall not be effective as to any deliveries made prior to the date thereof.

[Paragraph (h) added by Am. 2, 11 F.R. 2973, effective 3-25-46]

APPENDIX A—FORMS FOR APPLICATION FOR PRICE ADJUSTMENT

Applications for price adjustment may be filed upon the following forms, or the applicant may make copies of the portions of the forms providing for submission of essential data (omitting instructions) and file with the OPA.

OPA Form 6083-2644 (1-46) Form approved Budget Bureau No. 08-R1599

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES
UNDER SUPPLEMENTARY ORDER NO. 142

APPLICATION FORM I

(For use in applying for price adjustment on an overall company, or division of the company, basis)

Name of Firm	
Address of firm—number and street	
City, postal zone number, State	
Telephone number	Date
Total sales of company for last full fiscal year \$.....	
For year ended..... 194..	
If less than \$500,000 (\$300,000 for MPR 246) file two copies of application with your Regional OPA Office. Otherwise file with Machinery Branch, Office of Price Administration, Washington 25, D. C.	

GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY ORDER NO. 142

Supplementary Order No. 142 provides a procedure by which manufacturers of products covered by the following regulations may apply for adjustment in the prices of such products:
Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment (except automotive trucks, motorcycles, buses, and house and truck trailers).
Maximum Price Regulation 67—New Machine Tools.
Maximum Price Regulation 82—Wire and Cable.
Maximum Price Regulation 246—Manufacturers' and Wholesale Prices of Farm Equipment.
Maximum Price Regulation 351—Ferrous Forgings.
Maximum Price Regulation 523—Plastic Products.
Maximum Price Regulation 581—Industrial Services.
Your application for price adjustment under Supplementary Order No. 142 may be made on any one of four bases described in the table below. In each case the data which you must submit is dependent on whether or not you have had recent normal operating experience. The table indicates which one of three application forms should be used in each situation.

You should use this form only if you are applying on the basis of (1) or (2) below

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use—	
		Where recent normal operating experience	Where no recent normal operating experience
1 Over-all profit and loss statement.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all the products of the company which are covered by the above regulations.	Use application Form I (OPA Form No. 6083-2644)	
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the division (or plant) which are covered by the above regulations.		
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use application Form IIA (OPA Form 6083-2645).	Use application Form IIB (OPA Form 6083-2646).
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. New prices are computed by the applicant to become effective 20 days after OPA acknowledges the docketing of the application (unless notification to contrary is given by OPA).	(These forms may be used only if you maintain unit costs which can be supported by your records)	

Have you received any price adjustments from the Office of Price Administration since the base date?
If "Yes," list on a separate sheet the OPA docket number(s) of the application(s).

Yes No
☐ ☐

Requested price increase: (show here, or on separate sheet, requested increase(s))

SCHEDULE II—BASIC FINANCIAL INFORMATION—continued

2 Additional information required for entire company if (1) was filled out for division	
a Net sales	
b Direct materials	
c Direct labor	
d Total manufacturing expense	
e General, administrative and selling expense	
3 Additional information required if (1) was filled out for entire company	
a If not previously filed, submit balance sheet and profit and loss statements on OPA Form 403-50 Base Period Financial Report, or on your own prepared statements for the years 1939-1940. If your own prepared statements are presented the profit and loss statement should contain as a minimum the following items: net sales, cost of goods, net operating profit, and net profit before taxes.	
b If not previously filed, submit your balance sheet as of the end of the fiscal year ended nearest December 31, 1945, on OPA Financial Reporting Form A or your own prepared statement.	

FOOTNOTES FOR SCHEDULE II

^a If you do not consider the year ended nearest December 31, 1941 as one of normal pre-war production, explain why and submit similar data for the year ended nearest December 31, 1940. Also give the weighted average percentage increase in prices from July 1, 1940 to October 1, 1941 and show how this percentage was arrived at.

^b This period should be at least three months in length.

^c If the content of "direct labor" for the recent period differed in any important respects from its content for the fiscal year ended nearest December 31, 1941 because of a change in accounting procedure, explain fully on a separate sheet. (This need not be done if you are using the "Projected Basis" as described below.)

^d If you are applying on the "Cost Basis" as described below you may omit breakdown of "total other manufacturing expense," and fill in line b (vi) only, and in line b (vii) only, and (v).

^e If the content of "General, Administrative and Selling" expense for the recent period differed in any important respects from its contents for the fiscal year ended nearest December 31, 1941 because of a change in accounting procedure, explain fully on a separate sheet. (This need not be done if you are using the "Projected Basis" as described below.)

^f If you have granted any wage increases other than recognized increases as set forth below, list on a separate sheet such "unapproved" wage increases, the date on which granted, the extent of the increases, and the dollar amount by which direct labor for a recent three-month period should be reduced so as to reflect its cost without the "unapproved" increases, and show how this dollar amount was computed. The recognized increases include: (1) approved by the appropriate wage and salary stabilization agency under Executive Orders 9599 and 9651; (2) increases lawfully made or approved by the appropriate wage stabilization agency under Executive Order August 18, 1945; and (3) increases made after August 18, 1945, under W.L.R. General Order 30, relating to increases up to 55¢ per hour. If you have granted only recognized increases, a statement to this effect should be made in your application.

SCHEDULE I—SALES BREAKDOWN

Fill in the following schedule relating to the breakdown of sales for your entire company

Major groups of products sold	A Fiscal year ended nearest December 31, 1941 (1)	Fiscal year ended nearest December 31, 1944 (2)	Recent period ended months ended 194 (3)	Anticipated sales for next year (4)
1 Groups for which relief is requested				
a				
b				
c				
d				
e				
2 Groups—no relief requested				
a				
b War work (not regular lines)				
3 Total of all products sold				

FOOTNOTES FOR SCHEDULE I

^a If you do not consider the year ended nearest December 31, 1941, as one of normal pre-war production, submit regular data on a separate sheet for the fiscal year ended nearest December 31, 1940.

^b This period should cover at least three months.

SCHEDULE II—BASIC FINANCIAL INFORMATION

Fill in the following information for either the entire company or for a division (or plant) of the company for which separate accounting records are maintained, (depending on whether you have filed on the basis of (1) or (2) under General Instructions above). Read carefully footnote "f" below before filling in forms.

Check one: <input type="checkbox"/> Financial statement for entire company or <input type="checkbox"/> for _____ division	A Fiscal year ended nearest December 31, 1941 (1)	Last full fiscal year ended nearest 194 (2)	Recent period ended months ended 194 (3)
1 Net sales			
2 Cost of goods sold			
a Direct materials used			
b Direct labor (excluding overtime premium) ^c			
c Indirect labor ^d			
d Indirect materials and supplies ^d			
e Other indirect manufacturing expense (including overtime premium) ^d			
f Total other manufacturing expense (iii+iv+v) ^d			
g Net change in inventories (in process and finished)			
h Total cost of goods sold			
i Gross profits			
j General, administrative and selling expense ^e			
k Net operating profit			
l Other income and deductions (net)			
m Net profit before taxes (income)			

SCHEDULE III—CHANGES IN PRICES OF DIRECT MATERIAL AND PURCHASED PARTS

The purpose of this Schedule is to determine a weighted average percentage increase from October 1, 1941, to November 27, 1945 in the prices paid for direct material and parts as purchased by you in the same quantity, from the same source(s), and under the same general terms of sale, for manufacture into the products produced by the company (or division of the company) whose operations are described in Schedule II. In determining the "Value of Materials Used" in Column (1) of the Schedule proceed as follows:

1. If a wide variety of products are produced, use the first available of the following which can be determined accurately:
 - (a) The value of the materials actually used during the pre-war period of Column (1) in Schedule II.
 - (b) The value of the materials purchased during the pre-war period.
 - (c) The estimate of the materials used during the pre-war period.
2. If a comparatively small number of similar products are produced:
 - (a) Select a representative product which uses the principal materials in amounts bearing a reasonable relation to the totals for the entire company (or division) and determine the "Value of Materials Used" from a bill of materials for this product.
 - (b) If no one product fills the requirements of 2(a) you may select and add together the bills of materials of several products.

NOTE: If (2) is used, give name of product on which materials increase was based and indicate the volume of sales of that product in the pre-war period used in Schedule II.

	a Description of materials, parts, and subassemblies used directly	b Value of materials used	Net purchase price per unit		Percent increase column 3—column 2 divided by column 2	c Name of principal supplier
			c October 1, 1941	d November 27, 1945		
1		(1)	(2)	(3)	(4)	(5)
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19	All other ^a		x x x	x x x		x x x
20	Total		x x x	x x x		x x x

FOOTNOTES FOR SCHEDULE III

a "Description of Material" may refer either to individual items or to groups of items where a wide variety of such items are purchased. In the case of individual items the "Description of Materials" should be specific and complete for each item setting forth the name of the material, form, size, etc., for raw materials, and the name and supplier's designation for component parts and subassemblies. Where a wide variety of items is referred to, give the group designation of products under the "Description" and show the percentages in Columns (2) and (3) if such averages have significance. Otherwise make entries only in Columns (1) and (4). Wherever practical, the first method should be used. The grouping of items and averaging may be used only where the prices of the materials involved have not changed or changed only slightly, or constitute a homogeneous group such as gray iron castings (not all castings) or hot-rolled steel bars (not all steel).

^a See introductory statement above.

SCHEDULE IIIA—DISCOUNTS

Fill in the following schedule for the company or accounting division (used in Schedule II) to show sales to different classes of purchasers. If the proportions are approximately the same for all major product groups in the company (or accounting division) fill in only Column 1. If they vary, fill in the other columns, one for each major product group or line. If your records prevent your presenting the information in this form submit it on a separate sheet.

Submit data for the year 1941 if you are filing on a "Projected Basis." If on a "Current Basis" the data should be for the recent period used in Schedule III. If sales to different classes of purchasers for this period were not representative of anticipated sales for the coming year, you may submit supplementary information on a separate sheet.

	(1) Company or accounting division		(2) Major product group (Identify)		(3) Major product group (Identify)	
	Gross sales	Average % discount	Gross sales	Average % discount	Gross sales	Average % discount
1	Sales to final users					
2	Sales to dealers					
3	Sales to jobbers					
4	Sales to others					
5	Sales to others					
6	Total sales					

Do you price any products covered by this application on a formula basis? Yes ☐ No ☐

IMPORTANT

Schedules I, II, and IIIA above must be filled in completely by all applicants. If you have had recent normal operating experience as defined below you need not submit the information requested in Schedules III, and IV, or V. If you have not had recent normal operating experience as defined below complete the rest of form.

If your company has available recorded data which accurately reflect normal operating experience, use is made of such data in determining any allowable price increases. This is referred to as the "Current Basis." If no such data are available, use is made of pre-war data projected to reflect certain basic changes which have occurred since that time (referred to as "Projected Basis"). To assist OPA in determining which basis to use in your case, check the answers to the following questions:

1	Do you have available for the company or accounting division (used in Schedule II) a recent profit and loss statement of at least three months duration which reflects annual operating experience?	Yes <input type="checkbox"/> No <input type="checkbox"/>	5	Were sales made to different classes of purchasers by the company or accounting division (used in Schedule II) in the "recent period" in approximately the same proportions as your export for the coming year? (No, if answer is Yes <input type="checkbox"/> Yes <input type="checkbox"/> and the expected proportion of sales to different classes of purchasers for this period varied considerably from the proportions of 1941, explain fully on a separate sheet why these changed proportions are expected to continue.)	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Were "Net Sales" in this statement at an annual rate in excess of 75% of "Net Sales" for the fiscal year ended nearest December 31, 1941? (See Schedule II.)	Yes <input type="checkbox"/> No <input type="checkbox"/>	6	Do your costs of production in the "recent accounting period" accurately reflect methods of production which you plan to use in the next year? Answer "No" for instance, if the amount of subcontracted work was higher than in 1941, or if methods of production for the recent period were still being reflected in costs of production for the recent period.	Yes <input type="checkbox"/> No <input type="checkbox"/>
3	Were "Net Sales" in this statement at an annual rate in excess of 75% of "Net Sales" for the three immediately preceding months at an annual rate? (Show here net sales for this previous three-month period \$.....)	Yes <input type="checkbox"/> No <input type="checkbox"/>			
4	Were sales of major products by the company or accounting division used in Schedule II for the "recent" period (Column 3, Schedule II) in approximately the same proportions as your export for the coming year? (No, if answer is "Yes" for this period are in different proportions from a sheet, explain fully on a separate sheet why these proportions are expected to continue.)	Yes <input type="checkbox"/> No <input type="checkbox"/>			

If you have answered "No" to any of the above questions, proceed with Schedules III, and IV or V. If you have answered "Yes" to all questions you need not proceed beyond this point. In case of doubt, it will be best to fill in Schedules III, and IV or V.

FEDERAL REGISTER, Saturday, April 20, 1946

SCHEDULE V—CHANGES IN BASIC WAGE RATES (ANALYSIS OF OCCUPATIONAL WAGE RATES)

This alternative may be used only if the following conditions make it impossible to use Schedule IV:
 (a) A continuous history of wage rate increases is lacking because of an extended company (or plant) shutdown after October 1941.
 (b) The proportion of workers in the job classification receiving wage increases to total company (or division) employment varied substantially (except where uniform wage increases were granted to the job classifications affected).
 If this Schedule is used instead of Schedule IV, indicate fully why Schedule IV could not be used.

Occupation or job classification A (Welder, Class B Assembler, etc.)	Number of employees October 1941 ^B	Wage rate October 1, 1941			Column 2 X column 5	Straight-time hourly wage rate November 27, 1945			Column 2 X column 9
		Rate range ^C		Specific rate or mid-point of rate range ^D		Rate range ^C		Specific rate or mid-point of rate range ^D	
		Minimum rate	Maximum rate			Minimum rate	Maximum rate		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15	Total								

FOOTNOTES FOR SCHEDULE V

- * List the most important occupation or job classification of factory employees on payroll during last period prior to October 1, 1941, for the organizational unit reported in Schedule II. Account for at least 75% of the total employees.
^B Give number of employees in each occupation or job classification for this same period.
^C If there existed an established range of rates for the job during the period specified, list the minimum and maximum straight-time rates in the appropriate columns. Also see Note above, under introduction to Schedule IV and V.
^D If entries were made in the two previous columns, enter here the mid-point between these maximum and minimum rates. Otherwise enter the specific straight-time rate applicable to the job for the period specified.

I hereby certify that the facts submitted in this application are true and correct.

Sign here.....
 (Signature of officer) (Title) (Date)

OPA Form 6083-2645 (1-46) Form Approved Budget Bureau No. 08-R1560

UNITED STATES OF AMERICA
 OFFICE OF PRICE ADMINISTRATION
 WASHINGTON 25, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES
 UNDER SUPPLEMENTARY ORDER NO. 142

APPLICATION FORM IIA

(For use in applying for price adjustment of individual items or lines of products on basis of unit cost data reflecting normal operating experience.)

Name of firm

Address—number and street

City, postal zone number, State

Phone number

Date

Total sales of company for last full fiscal year \$.....

For year ended..... 194.....

If less than \$500,000 (\$300,000 for MPR 246) file two copies of application with your Regional OPA Office. Otherwise file with Machinery Branch, Office of Price Administration, Washington 25, D. C.

GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY ORDER NO. 142

Supplementary Order No. 142 provides a procedure by which manufacturers of products covered by the following regulations may apply for adjustment in the prices of such products:

Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment (except automotive trucks, motorcycles, buses, and house and truck trailers).

Maximum Price Regulation 67—New Machine Tools.

Maximum Price Regulation 82—Wire and Cable.

Maximum Price Regulation 246—Manufacturers' and Wholesale Prices of Farm Equipment.

Maximum Price Regulation 351—Ferrous Forgings.

Maximum Price Regulation 523—Plastic Products.

Maximum Price Regulation 581—Industrial Services.

Your application for price adjustment under Supplementary Order No. 142 may be made on any one of four bases described in the table below. In each case the data which you must submit is dependent on whether or not you have had recent normal operating experience. The table indicates which one of three application forms should be used in each situation.

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use	
		Where recent normal operating experience	Where no recent normal operating experience
1 Over-all profit and loss statement.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all the products of the company which are covered by the above regulations.	Use application Form I (OPA Form No. 6083-2644)	
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the Division (or plant) which are covered by the above regulations.		
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use Application Form IIA (OPA Form 6083-2645).	Use Application Form IIB (OPA Form 6083-2646).
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. New prices are computed by the applicant to become effective 20 days after OPA acknowledges the docketing of the application (unless notification to the contrary is given by OPA).	(These forms may be used only if you maintain unit costs which can be supported by your records).	

WHEN THIS FORM IIA IS TO BE USED

You may use this form if you are applying on the basis of either (3) or (4) above, maintain unit costs which can be supported by your records, and if you have available current cost data reflecting normal cost experience for the items, or line of products, for which price adjustment is desired. You are considered to have had normal operating experience for an item if all the following conditions are met: (a) sales for the last three months were at an annual rate in excess of 75% of sales for the year 1941, (b) sales for the last three months were in excess of 75% of sales for the immediately preceding three months' period, and (c) current costs reflect methods of production such as will be in use for the coming period. (You do not meet this test, for instance, if current costs reflect an abnormal amount of subcontracting work, or if the use of inefficient methods of production necessitated by war conditions, have not been eliminated.) To indicate your position in these respects fill in Schedule I below. The percentage comparisons are indicated in Lines (4) and (5) of Schedule I.

SCHEDULE I—SALES INFORMATION

In the following schedule allow one column to an item. If application is being made for a line (or group) of products, select representative items which accurately reflect the average cost-price relationship of the line or group (generally, the fastest selling items) and fill in the requested information for these items, including the two "Total Columns." The items selected should account for at least 25% of total sales of the line or group in 1941, but you need not submit data for more than eight items if these are truly representative. If you are not able to select a representative sample of items for the line, all of which meet the tests for recent normal operating experience (lines 4 and 5 below), obtain copy of Application Form IIB and fill out for other representative items which do not meet the tests for normal operating experience.

	Identify each item in the spaces below (Name, catalog number, etc.)				Total of columns 1, 2, 3, and 4	Total sales of entire line
	(1)	(2)	(3)	(4)		
1 Sales—last 3 months×4 ^A						
2 Sales—3 previous months×4						
3 Sales—year ended December 31, 1941						
4 Line 1÷line 2						
5 Line 1÷line 3						

^A If your sales of these items are seasonal so that sales for the period are not truly representative, you may submit additional data to demonstrate that sales of the items are actually at a rate in excess of 75% of normal sales for the year 1941.

FEDERAL REGISTER, Saturday, April 20, 1946

PART A—COMPUTATION OF NEW MAXIMUM PRICES FOR INDIVIDUAL ITEMS

SCHEDULE II—COMPUTATION OF AVERAGE DISCOUNT

The purpose of this schedule is to determine for the last three months' period the average discounts from list (or gross) prices for each item listed in Schedule I, when such items were sold to more than one class of purchaser. If sales to different classes of purchasers for this period are not representative of anticipated sales for the coming year, you may submit supplementary information relating to this for consideration by OPA.

		Columns refer to corresponding columns of Schedule I							
		(1)		(2)		(3)		(4)	
		Gross sales	Percent discount	Gross sales	Percent discount	Gross sales	Percent discount	Gross sales	Percent discount
1	Sales to final users								
2	Sales to dealers								
3	Sales to jobbers								
4	Sales to others								
5	Total sales—average discount		%		%		%		%

SCHEDULE III—COMPUTATION OF NEW MAXIMUM PRICES

Fill in the following information for each item listed in Schedule I

		Columns refer to corresponding columns of Schedule I			
		(1)	(2)	(3)	(4)
1	List (or gross) price on base date in regulation				
2	a Current maximum list (or gross) price				
	b Requested maximum list (or gross) price				
3	Unit cost on base date of regulation	X	X	X	X
	a Direct materials				
	b Direct labor (excluding overtime premiums)				
	c Factory overhead (including overtime premiums)				
	d Total factory cost (3a+3b+3c)				
	e Line 3c+ (Line 3a+line 3b)	X	X	X	X
4	Allowable current factory costs				
	a Direct materials				
	b Direct labor ^A (excluding overtime premiums and unapproved wage increases) ^B				
	c Actual factory overhead (including overtime) ^C				
	d Computed factory overhead (line 4a+line 4b)×line 3e				
	e Total allowable factory cost (4a+4b+smaller of 4c or 4d)				
5	Computed new list price [(line 4e)+(100% minus percent figure of line 5) of Schedule II] ^D				

FOOTNOTES FOR SCHEDULE III

^A If the current content of "direct labor" differs in any important respects from its content on the base date, make adjustments needed to express current and base date "direct labor" and "factory overhead" on the same basis and explain fully on a separate sheet.

^B If you have granted any wage increases other than recognized increases as set forth below, list on a separate sheet such "unapproved" wage increases, the date on which granted, the extent of the increases, and the amount by which direct labor should be reduced so as to reflect its cost without the "unapproved" increases, and show how this amount was computed. The recognized increases include:

(1) wage increases approved by the appropriate wage and salary stabilization agency under Executive Orders 9599 and 9651,

(2) increases lawfully made or approved by the appropriate wage stabilization agency before August 18, 1945, and,

(3) increases made after August 18, 1945, under WLB General Order 30 relating to increases up to 55 cents per hour. If you have granted only recognized increases, a statement to this effect should be made in your application.

^C If the current method of allocating "factory overhead" is different in any important respects from the method used on the base date, make adjustments needed to express current and base date factory overhead on the same basis, and explain fully on a separate sheet.

^D If application is for a line of products do not fill in this line.

NOTE.—If cost data in Part A above are for representative items of a line (or group) or products, fill in Part B below. If cost data in Part A are for individual items, you need not fill in Part B.

PART B—NEW MAXIMUM PRICES FOR A LINE (OR GROUP) OF PRODUCTS

SCHEDULE IV—ADDITIONAL DATA REQUIRED

If application is being made for "representative items" of a line, or group, of products, fill in the following schedule. In this case, OPA will determine the amount of price adjustment, if any, and notify you accordingly.

1 Selling, general and administrative expense for representative items (columns refer to corresponding columns of Schedule I).					
(1)		(2)		(3)	(4)
Base date	Current	Base date	Current	Base date	Current
2 Sales and expense data for division of company producing representative items					
a Total net sales of division for period shown.				For period including base date (at least 3 months in length).	
b Total selling, general and administrative expense for division.				For recent period (at least 3 months in length).	

NOTE: If any expenditures classified as selling, general or administrative expense on the base date are now classified as factory overhead, or vice versa, explain fully.

I certify that the facts submitted in this application are true and correct.

Sign here..... (Signature of officer)

OPA form 6083-2646 (1-46)	Form approved Budget Bureau No. 68-B1562	Name of firm	Date
UNITED STATES OF AMERICA		Address—number and street	
OFFICE OF PRICE ADMINISTRATION		City, postal zone number, state	
WASHINGTON 25, D. C.		Phone number	Date
APPLICATION FORM IIB		Total sales of company for last full fiscal year \$.....	194.....
For year ended.....			
If less than \$200,000 (\$200,000 for MPR 246) file two copies of application with your Regional OPA Office. Otherwise file with Machinery Branch, Office of Price Administration, Washington 25, D. C.			

GENERAL INSTRUCTIONS FOR FILING APPLICATION UNDER SUPPLEMENTARY ORDER NO. 142

Supplementary Order No. 142 provides a procedure by which manufacturers of products covered by the following regulations may apply for adjustment in the prices of such products:

Revised Maximum Price Regulation 136—Machines, Parts and Industrial Equipment (except automotive trucks, motorcycles, buses, and house and truck trailers).
Maximum Price Regulation 67—New Machine Tools.
Maximum Price Regulation 82—Wire and Cable.
Maximum Price Regulation 246—Manufacturers' and Wholesale Prices of Farm Equipment.
Maximum Price Regulation 351—Ferroalloy Forgings.
Maximum Price Regulation 523—Plastic Products.
Maximum Price Regulation 581—Industrial Services.
Your application for price adjustment under Supplementary Order No. 142 may be made on any one of four bases described in the table below. In each case the data which you must submit is dependent on whether or not you have had recent normal operating experiences. The table indicates which one of three application forms should be used in each situation.

Basis of adjustment	Extent of price adjustment which will be allowed (if any)	Application form to use	
		Where recent normal operating experience	Where no recent normal operating experience
1 Over-all profit and loss statement.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) plus a normal profit margin. An "increase factor" will be determined to apply to all products of the company which are covered by the above regulation.	Use application Form I (OPA Form No. 6083-2644)	
2 Profit and loss statement for a division (or plant) of the company for which separate accounting records are kept.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense). An "increase factor" will be determined to apply to all the products of the division (or plant) which are covered by the above regulations.		
3 Unit cost data for representative items of a line (or group) of products.	Prices will be increased sufficiently to cover allowable total costs (including selling and administrative expense) for the representative items taken as a whole. The computed "increase factor" will be made to apply to all the items of the line, or group of products.	Use Application Form IIA (OPA Form 6083-2645)	Use Application Form IIB (OPA Form 6083-2646)
4 Unit cost data for individual items.	Prices will be increased sufficiently to cover allowable total manufacturing costs for each item. No price adjustment will be made by the applicant to become effective 30 days after OPA acknowledges the docking of the application (unless notification to the contrary is given by OPA).	(These forms may be used only if you maintain unit costs which can be supported by your records)	

WHEN THIS FORM IIB IS TO BE USED

You should use this form if you are applying on the basis of either (3) or (4) above, maintain unit costs which can be supported by your records, but do not have available current unit cost data reflecting normal cost experience for the items, or lines of products, for which price adjustment is desired. You are considered not to have normal operating experience for an item if any of the following conditions exist: (a) sales for the last three months were at an annual rate less than 75% of sales for the year 1941, (b) sales for the last three months were less than 75% of sales for the annual period preceding three-month period, and (c) current costs reflect abnormalities which will not exist in the coming year (such as an abnormal amount of subcontracting work, or the use of inefficient methods of production, necessitated by war conditions which have not as yet been eliminated). To indicate your position in these respects fill in Schedule I below. The percentage comparisons are indicated in Lines (4) and (5) of Schedule I.

SCHEDULE I—SALES INFORMATION

In the following schedule allow one line to an item. If application is being made for a line (or group) of products select representative items which accurately reflect the average cost-price relationship of the line or group (generally the fastest selling items) and fill in the requested information for these items, including the two "Total Columns." The items selected should account for at least 25% of total sales of the line or group in 1941, but you need not submit data for more than eight items if these are truly representative. In selecting a sample you may include on this application form items for which you have costs reflecting recent normal operating experience, as well as for those for which you do not have such experience.

Identify each item in the spaces below (Name, Catalog Numbers, etc.)	Total of columns 1, 2, 3, and 4				Total sales of entire line
	(1)	(2)	(3)	(4)	
1 Sales—last 3 months x 4 ^a					
2 Sales—3 previous months x 4					
3 Sales—year ended December 31, 1941					
4 Line 1 ÷ line 2					
5 Line 1 ÷ line 3					

^a If your sales of these items are seasonal in nature so that sales for the period are not truly representative, may submit additional data to demonstrate that sales of the items are actually at a rate in excess of 75% of normal sales for the year 1941.

PART A—COMPUTATION OF NEW MAXIMUM PRICES
SCHEDULE II—COMPUTATION OF AVERAGE DISCOUNT

The purpose of this schedule is to determine for the year 1941 or some significant part thereof the average discounts from list (or gross) prices for each item listed in Schedule I, when such items were sold to more than one class of purchaser. If sales to different classes of purchasers for this period were not representative of annual sales for the coming year, you may submit supplementary information relating to this for consideration by OPA.

	Columns refer to corresponding columns of schedule I				
	(1)	(2)	(3)	(4)	(5)
	Gross sales	Percent discount	Gross sales	Percent discount	Percent discount
1 Sales to final users					
2 Sales to dealers					
3 Sales to jobbers					
4 Sales to others					
5 Total sales—average discount		%		%	%

SCHEDULE III—COMPUTATION OF NEW MAXIMUM PRICES

Fill in the following information for each item listed in Schedule I

	Columns refer to corresponding columns of Schedule I			
	(1)	(2)	(3)	(4)
1 List price on base date of regulation				
2 a Current maximum list (or gross) price ^a				
b Requested maximum list (or gross) price				
3 Unit cost on base date of regulation				
a Direct materials				
b Direct labor (excluding overtime premiums)				
c Factory overhead (including overtime premiums)				
d Total factory cost (3a+3b+3c)				
e Line 3c ÷ (line 3a+3b)				
4 Allowable unit factory costs				
a Direct materials (line 3a increased by % from line 20, Column 1 of Schedule IV)				
b Direct labor (line 3b increased by % from line 1c of Schedule V or line 2r of Schedule V)				
c Factory overhead (line 4a+line 4b)×line 3e				
d Total allowable factory cost (4a+4b+4c)				
5 Computed new list price (line 4d ÷ (100% minus % figure of line 5, Schedule II))				

Additional data needed if you are requesting price increase for a line of products.

6 Base date general, administrative selling expense

^a If different from list price on base date explain why on separate sheet. If you have received any price adjustments from OPA since the base date on products covered by this application, also give the OPA docket number(s) of the application(s).

PART B—ALLOWABLE INCREASES IN COSTS

SCHEDULE IV—COMPUTATION OF PERCENTAGE INCREASES IN PRICES OF DIRECT MATERIALS

For the completion of Line 4a of Schedule III you must determine the percentage increase since the applicable base date in the covering regulation in the prices of materials, parts and subassemblies as purchased by you in the same quantity, from the same source(s) and under the same general terms of sale. Where several items are listed in Schedule I, separate percentages may be determined for each item if such items are quite dissimilar with respect to the materials used and the proportions in which they are used. Otherwise fill out the schedule on the basis of all the bills of materials of the items listed in Schedule I.

	a Value of materials used	Net purchase price per unit		Percent increase (column 3 minus column 2) ÷ Column 2	Column 4 X Column 1
		c Base date	d November 27, 1945		
(1)	(2)	(3)	(4)	(5)	(6)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18 All other ^a					
19 Total					
20 Percent increase (line 19, column 5 ÷ line 19, column 1)				%	

FOOTNOTES FOR SCHEDULE IV

^a "Description of Material" may refer either to individual items or to groups of items where a wide variety of such items are purchased. In the case of individual items the "Description of Materials" should be specific and complete for each item setting forth the name of the material, form, size, etc., for raw materials, and the name of the supplier's designation for component parts and subassemblies. Where a wide variety of items is referred to, the group designation of products under the "Description" and show average prices in Columns (2) and (3). Each average price should be based on a separate bill of materials and should be based on the same quantity and under the same general terms of sale for which the October 1941 price shown in Column (2) was reported. The ceiling price of an alternative supplier should be reported only where the 1941 supplier has gone completely out of the business of supplying that general type of material. Where this has occurred the ceiling price must be reported for a supplier of the same class and for the customary-sized purchase on which the October 1941 price was reported.

^b Indicate here the value of the material or part in the bill of materials, or if the schedule applies to several items, the total value of the materials as indicated in all the bills of materials combined.

^c Show the base date price paid per unit of material or part. This should be the price recorded on the earliest dated invoice in October 1941 representing a normal-sized purchase from your principal customary supplier. If you have no invoice during that month, use the price on the earliest invoice dated earlier than October 1941.

^d Report prices as of November 27, 1945. If the current price is in excess of the November 27, 1945 price, report such an increase on a separate sheet, but the amount of such increase is subject to Executive Order 9606, 6631, such direct sales as are shown on the bill of materials, and the applicable standards of OPA. The November 27, 1945 price should be the price of the material or part sold by the 1941 supplier in the same quantity and under the same general terms of sale for which the October 1941 price shown in Column (2) was reported.

^e The ceiling price of an alternative supplier should be reported only where the 1941 supplier has gone completely out of the business of supplying that general type of material. Where this has occurred the ceiling price must be reported for a supplier of the same class and for the customary-sized purchase on which the October 1941 price was reported.

1 Percentage increase in basic wage schedules by analysis of individual wage actions—Continued.

B Average straight-time hourly earnings for the last payroll period prior to the applicable base date of the covering regulation	
I	Payroll period used (give dates)
II	Total hours worked by factory employees
III	Total earnings at straight-time wages ^a
IV	Average straight-time hourly earnings (Line III ÷ line II)

C Increase in basic wage rate schedules—Line A (vii)—line B (iv)

Percentage increase in basic wage rates by analysis of occupational wage rates.
This alternative may be used only if the following conditions make it impossible to use Schedule V (1).
(a) A continuous history of wage rate increases is lacking because of an extended company (or plant) shutdown after October 1941.
(b) The proportion of workers in the job classification receiving wage increases to total company (or division) employment varied substantially (except where uniform wage increases were granted to the job classifications affected).
If this schedule is used instead of Schedule V (1) indicate fully why Schedule V (1) could not be used.

Occupation or job classification (welder, Class B assembler, etc.)	Number of employees base date period	Base date straight-time hourly wage rate				Column 2 X column 5	Straight-time hourly wage rate November 27, 1945				Column 2 X column 9
		Rate range ^j		Specific rate or mid-point of rate range	Rate range ^j		Specific rate or mid-point of rate range				
		Minimum rate	Maximum rate		Minimum rate			Maximum rate			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
a											
b											
c											
d											
e											
f											
g											
h											
i											
j											
k											
l											
m											
n											
o											
p	Total										
q	Line p, column 10 minus line p, column 6										
r	Wage rate increase (line q ÷ line p, column 6)								%		

FOOTNOTES FOR SCHEDULE V

^a An entry should be made for each separate occasion of a wage increase among the factory employees for the division of the business in which the items are produced. The change might involve only one job, or might include several job classifications, or even the whole of a department or plant. See NOTE above, under General Instructions for Filling Out Schedule V.

FOOTNOTES FOR SCHEDULE IV—continued

Only where November 27, 1945 prices definitely cannot be determined may current ceiling prices be reported under the conditions (stated above) as apply to the November 27, 1945 prices. Indicate these current ceiling prices with an asterisk (*) and the date for which not reported. OPA will make the necessary adjustment (if any).
^a "All Other" if possible, should not account for more than 25% of the total. Give an estimate of the percentage increase in the column provided for this purpose.

SCHEDULE V—COMPUTATION OF PERCENTAGE INCREASE IN BASIC WAGE RATE SCHEDULE

For the completion of Line 4b of Schedule III you must determine the percentage increase from the applicable base date of the covering regulation to November 27, 1945 in the basic wage rates of your direct factory workers employed in the division of your business in which the items given in Schedule I are produced. Two alternative methods are provided below for determining this percentage increase. Full instructions for selecting the proper one and filling out the form follow.

GENERAL INSTRUCTIONS FOR FILLING OUT SCHEDULE V

Fill in either Schedule V (1) or V (2). Schedule V (1), however, should be used wherever possible. The use of Schedule V (2) is limited to certain special conditions set forth below under the instructions preceding the table of Schedule V (2). The Schedule V (2) is used to measure certain increases in your basic wage rates of factory employees since the applicable base date in the covering regulation. This refers to increases in single rates, or ranges of rates (measured from the mid-point of the old range to the mid-point of the new) for one or more job classifications as distinguished from increases affecting single employees. "Factory employees" refers to all the workers included in "direct labor" (Line 3b of Schedule III).
The OPA will recognize any increases in wages or salaries approved by the appropriate stabilization agency on or before November 27, 1945.
NOTE: Report any increases since that time, but the recognition of such increases in the computation of adjusted costs shall be subject to the provisions of Executive Orders 9599, 9651, such directives as are issued thereunder by the Stabilization Director, and the applicable standards of OPA.
The following lists show types of recognized increases which may be included, and those which may not be included:

Types of changes which may be included

1. A plant-wide or any other general increase affecting a considerable portion of the positions in the plant which provides (a) a uniform change in cents per hour or per piece, (b) a uniform percentage change for all jobs covered by the action, or (c) a systematic list of differential increases among jobs.
2. Increases in cents per hour, or percent, to one or more job classification rates, rate ranges, piece rates or incentive wage rates.
3. Changes in the structure of incentive plans which affect the amount that can be earned for the same quality of work as represented by the average worker affected as of the date the changes were made.
4. An action in which the War Labor Board awards have provided for internal readjustment of wage rates amounting to a specified average increase.
5. Increases to equalize job rates for women, or for persons of certain races with rates for work of equal quantity or quality as already paid to men, or to persons of other races, but in no case shall the weight given such a change exceed the proportion of the plant's employees in those groups previously paid at lower rates in the payroll period immediately preceding the base date.

Types of changes which may not be included

1. In-grade promotions or any change in wage for the individual as distinguished from a change in the rate for the job.
2. Changes in vacation policies, non-production bonuses, or pay for overtime.
3. Increases granted automatically for length of service at stated intervals or after given periods.
4. Increases in earnings because of greater worker productivity under an incentive plan.
5. Changes in piece rates resulting from drastic changes in products, unless there has been a specific bargaining agreement to increase earnings during the process of revision.
6. Higher shift differentials except for plants which have multiple shifts in the major part of the plant's operations on the base date.

1 Percentage increase in basic wage rate schedules by analysis of individual wage actions

A Analysis of individual wage actions

A Department, occupation or job classification affected	Date of adjustment	a Adjust-ment (cents per hour or percent)	c Average straight-time hourly earnings before adjustment (omit if column 3 is completed in cents)	d Percent in column 3 X amount in column 4	e Percent of total workers in division receiving increase	f Amount in column 3 or X percent in column 6	g WLB authority
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
I							
II							
III							
IV							
V							
VI							
VII	Total						

^B If an entry in this Column covers more than one job classification, rate or rate range receiving non-uniform increases, the amount reported should represent the weighted average of all the increases. The weighted average may be determined by multiplying the amount of each separate increase by the number of employees affected and dividing the sum of these products by the total number of employees receiving the increase.

^C Fill in this Column only in case the increase in Column 3 is stated in percent. Select a payroll period immediately preceding the date of the adjustment and determine the average hourly earnings during that period for the group of employees receiving the increase.

^D This operation is for the purpose of converting any increase expressed in percentage in Column 2 into cents per hour.

^E Compute the percentage of workers affected by dividing the number of employees to which the rate change applies by the total number of factory employees on the payroll at the time the change was effected.

^F For each adjustment since October 2, 1942, the WLB Office approving such adjustment and the order number and date must be listed for each adjustment requiring specific WLB approval. For other adjustments, such as those made under WLB General Orders, indicate the type of authorization.

^G Total earnings of employees at straight-time rates means earnings (1) before deductions for Social Security, withholding taxes, insurance, hospitalization dues, etc., (2) inclusive of regularly recurring bonus payments, such as production bonuses, and (3) exclusive of extra payments for overtime, and bonus payments that are not a part of regular earnings.

^H List the most important occupation or job classification of factory employees on payroll during last period prior to the applicable date of the regulation for the division producing the item. Account for at least 75% of the total employees.

^I Give number of employees in each occupation or job classification for this same period.

^J If there existed an established range of rates for the job during the period specified list the minimum and maximum time rates in the appropriate columns. Also see NOTE above, under General Instructions for Filling Out Schedule V.

^K If entries were made in the two previous columns, enter here the mid-point between these maximum and minimum rates. Otherwise, enter the specific straight-time rate applicable to the job for the period specified.

I certify that the facts submitted in this application are true and correct.

Sign here

(Signature of Officer)

(Title)

(Date)

[Appendix Amended by Am. 2, 11 F.R. 2973, effective 3-25-46]

This Supplementary Order No. 142 shall become effective December 11, 1945. [Supplementary Order 142 originally issued December 11, 1945]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 19th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6626; Filed, Apr. 19, 1946; 11:47 a. m.]

PART 1301—MACHINE TOOLS

[MPR 67, Amdt. 3]

NEW MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 67 is amended in the following respects:

1. Section 4 is amended by adding a new paragraph (g) to read as follows:

(g) The maximum prices established under paragraphs (a) to (d) inclusive, shall be increased by 20%.

2. The first sentence of section 1 (c) (1) is amended to read as follows:

(1) "Machine tool" means a power, hand or foot driven machine (except portable machine tools) used for shaping metal by cutting, abrading, straightening, forcing, forging, or forming under pressure.

This amendment shall become effective April 19, 1946.

Issued this 19th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6617; Filed, Apr. 19, 1946; 11:52 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[MPR 220, incl. Amdts. 1-27]

CERTAIN RUBBER COMMODITIES

This compilation of Maximum Price Regulation 220 includes Amendment 27, effective April 24, 1946. The text added or amended by Amendment 27 is underscored. Redesignations are indicated by notes.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable, will effectuate the purposes of the Emergency Price Control Act of 1942 and are necessary to adjust the provisions of the General Maximum Price Regulation² to the particular circumstances of manufacturers of rubber commodities. A statement of the considerations³ involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1⁴ issued by the Office of Price Administration, Maximum Price Regulation No. 220 is hereby issued.

Sec.

1315.1551 Applicability of this Maximum Price Regulation No. 220 and the General Maximum Price Regulation.

1315.1552 Prohibition against dealing in rubber commodities above maximum prices.

¹ 8 F.R. 16689.

² 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

³ Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

⁴ Revised: 9 F.R. 10476, 13715.

Sec.

1315.1555 First pricing method: Minor changes.

1315.1553 Maximum prices for rubber commodities delivered or offered for delivery during March 1942.

1315.1554 Maximum prices for rubber commodities not delivered or offered for delivery during March 1942.

1315.1556 Second pricing method: Changes necessitated by shortages of materials or parts.

1315.1557 Third pricing method: Other than minor changes or changes necessitated by shortages of materials or parts.

1315.1557a Fractions of a cent.

1315.1557b Maximum manufacturers' prices for elastic webbing, braid, and cord.

1315.1557c Maximum wholesalers' prices for elastic webbing, braid, and cord.

1315.1557d Maximum prices for sales of rubber bands at all levels.

1315.1557e Maximum prices for manufacturers' and wholesalers' sales of sandblast stencil.

1315.1557f Maximum wholesalers' prices for industrial rubberized fabric gloves.

1315.1557g Maximum manufacturers' prices for cements.

1315.1558 Fourth pricing method: Specific authorization by the Office of Price Administration.

1315.1558a Maximum wholesale and retail prices for certain sanitary treated items.

1315.1558b Maximum prices for certain specified rejected commodities.

1315.1559 Terms and conditions of sale.

1315.1559a Notification of maximum wholesale and retail prices of certain sanitary treated items.

1315.1559b Transfers of business or stock in trade.

1315.1560 Evasion.

1315.1560a Adjustable pricing.

1315.1560b Application for adjustments.

1315.1560c Industry-wide adjustments for reconversion products.

1315.1561 Petitions for amendment.

1315.1561a Licensing.

1315.1562 Enforcement.

1315.1563 Definitions.

1315.1564 Geographical applicability.

1315.1565 Effective date.

1315.1566 Effective dates of amendments.

1315.1567 Appendix A: Articles covered by the regulation.

1315.1568 Appendix B: Form for application for adjustment of maximum manufacturers' prices of certain rubber commodities.

AUTHORITY: §§ 1315.1551 to 1315.1567, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong. E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691.

§ 1315.1551 Applicability of this Maximum Price Regulation No. 220 and the General Maximum Price Regulation—

(a) What commodities must be priced under this regulation. This regulation is applicable to the commodities listed in Appendix A (§ 1315.1567) when they are made in whole or in part of rubber, and to the commodities listed in paragraphs (a) and (i) of Appendix A (§ 1315.1567) when they are made of oil coated fabrics, if their maximum prices would be established by the General Maximum Price Regulation in the absence of this Maximum Price Regulation No. 220. This regulation applies, instead of the General Maximum Price Regulation, to such com-

modities. However, this Maximum Price Regulation No. 220 is not applicable to any commodity listed in Appendix A if its maximum price is established by any other regulation, issued or which may be issued by the Office of Price Administration. Specifically but not exclusively, this Maximum Price Regulation No. 220 is not applicable to sales or deliveries, the maximum prices of which are established by Maximum Price Regulation No. 136^a—Machines and Parts, and Machinery Services; Maximum Price Regulation No. 157^a—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes and Maximum Price Regulation No. 188^a—Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel. A commodity that must be priced under this Maximum Price Regulation No. 220 will henceforth be referred to as a "rubber commodity."

[Above paragraph amended by Am. 19, 10 F.R. 4599, effective 5-1-45]

(b) *Applicability of the General Maximum Price Regulation.* Sections 1499.1 to 1499.3 inclusive, §§ 1499.4a, 1499.13, to 1499.16, 1499.18, 1499.21 and §§ 1499.23 to 1499.25, inclusive, of the General Maximum Price Regulation are not applicable to sales or deliveries of rubber commodities, except as provided by paragraph (d) of the next section (§ 1315.1552). However, all other sections of the General Maximum Price Regulation, together with existing and subsequent supplementary regulations (including Supplementary Regulation No. 4^b) and amendments to such sections are applicable to rubber commodities.

[§ 1315.1551 amended by Am. 1, 7 F.R. 8936, effective 11-4-42; and Am. 2, 7 F.R. 11111, effective 1-4-43]

§ 1315.1552 *Prohibition against dealing in rubber commodities above maximum prices.* (a) On and after September 19, 1942, regardless of any contract or other obligation (except as provided in paragraph (d) of this section):

(1) No person shall sell or deliver any rubber commodity at a price higher than the maximum price established by this regulation for a sale by him of that commodity; and

[Subparagraph (1) amended by Am. 8, 8 F.R. 6043, effective 5-13-43]

(2) No person in the course of trade or business shall buy or receive any such commodity at a price higher than the maximum price permitted by this regulation. However, where the maximum price for a commodity has been established under a section of this regulation which requires the seller to compute his maximum price or proposed maximum price and report it to the Office of Price Administration, if the purchaser shall

receive from the seller a written affirmation that the seller has calculated the maximum price for the commodity in accordance with the appropriate section and has filed the required report with the Office of Price Administration, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, and provided the price paid is not in excess of the maximum price as affirmed by the seller, the purchaser shall be deemed to have complied with this section.

[Subparagraph (2) amended by Am. 8, 8 F.R. 6043, effective 5-13-43; Am. 17, 8 F.R. 9650, effective 8-14-44 and Am. 27, effective 4-24-46]

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 220 or by the Emergency Price Control Act of 1942.

(c) On and after September 19, 1942, no manufacturer shall sell, offer to sell, deliver or transfer any rubber commodity for which a maximum price must be determined under § 1315.1558 until he has complied with the reporting and waiting provisions thereof.

(d) Nothing in this Maximum Price Regulation No. 220 shall prevent the fulfillment of contracts entered into before September 19, 1942, for the sale of rubber commodities at prices not exceeding the maximum prices established by the General Maximum Price Regulation prior to September 19, 1942.

§ 1315.1553 *Maximum prices for rubber commodities delivered or offered for delivery during March 1942.* (a) The maximum price for a sale by a manufacturer of any rubber commodity which is the same as a commodity which was delivered or offered for delivery in March, 1942, by the manufacturer, shall be the highest price charged by the manufacturer during March, 1942 (as defined in paragraph (a) (1) of § 1315.1564), for the commodity less the deductions required by paragraphs (b) and (c) of this section, wherever applicable.

[Paragraph (a) amended by Am. 9, 8 F.R. 7497, effective 6-17-43]

(b) If, during March, 1942, the manufacturer did not customarily state and collect separately from the purchase price the federal excise tax on rubber commodities, he shall deduct the amount of such tax from the maximum price determined in accordance with the provisions of paragraph (a) of this section.

(c) If a commodity priced under this section contains synthetic or substitute rubber or balata, the price of which in effect on August 1, 1943, or the current price, whichever is lower, is less than the price in effect on March 31, 1942, the manufacturer shall deduct from the price determined in accordance with the provisions of paragraph (a) of this sec-

tion a differential to be calculated as follows:

(1) Where the manufacturer compounds the synthetic or substitute rubber or balata contained in the commodity, he shall first determine the amount of each type of synthetic or substitute rubber or balata required to produce the commodity. The manufacturer will then multiply this amount by the difference between the price of the synthetic or substitute rubber or balata in effect to him on March 31, 1942, and the price for that material in effect to him on August 1, 1943, or the current price (not exceeding the maximum price), whichever is lower. The resulting figure is the differential. If the manufacturer customarily sold several sizes, styles or compounds of the commodity at the same price to the same class of purchasers, he shall use the same differential for all sizes, styles or compounds of the commodity that he sold at the same price to the same class of purchasers. This differential shall be calculated in the manner just set forth except that in applying that method the manufacturer shall use the method he customarily used in March, 1942, to arrive at a uniform price. If the manufacturer had no such customary method, he shall use as a basis for calculating the differential that size, style or compound of the commodity of which he sold the largest quantity during the period January 1, 1943, to July 1, 1943.

(2) Where the manufacturer did not compound the synthetic or substitute rubber or balata contained in the commodity he shall first determine the price for the material or part purchased by him which contains synthetic or substitute rubber or balata in accordance with paragraph (a) (1) (ii) (a) of § 1315.1557. The manufacturer shall then deduct from that price the first price at which he purchased the material or part containing the synthetic or substitute rubber or balata after August 1, 1943, or the current price (not exceeding the maximum price), whichever is lower.

[Paragraph (c) added by Am. 9, 8 F.R. 7497, effective 6-17-43, amended by Am. 12, 8 F.R. 10983, effective 8-12-43, Am. 23, 10 F.R. 12741, effective 10-15-45 and Am. 27, effective 4-24-46]

[§ 1315.1553, amended by Am. 3, 8 F.R. 1584, effective 2-8-43; and as otherwise noted]

§ 1315.1554 *Maximum prices for rubber commodities not delivered or offered for delivery during March 1942.* The maximum prices for a sale by a manufacturer of any rubber commodity which is not the same as a commodity which was delivered or offered for delivery by the manufacturer during March 1942, shall be the price determined by the first one of the four methods set forth in §§ 1315.1555, 1315.1556, 1315.1557 and 1315.1558 which applies to the commodity.

§ 1315.1555 *First pricing method: minor changes—(a) Minor changes.* The maximum price of any commodity differing from a commodity delivered or offered for delivery by the manufacturer

^a 10 F.R. 3197, 5377, 6591, 7536, 7340, 7682, 9447, 9716, 10084, 10976, 10436, 11998, 12208.

^b 9 F.R. 11059; 10 F.R. 776, 1910, 2014, 6307, 8979.

^c 10 F.R. 9109, 9928, 10972.

^d Revoked: 8 F.R. 4986.

during March, 1942, only by reason of minor changes in material, design, or construction which do not reduce cost of materials or prevent its offering fairly equivalent serviceability shall be the maximum price (determined in accordance with § 1315.1553) of the commodity delivered or offered for delivery during that period. The substitution of buna-S GR-S or butyl GR-I for natural rubber will be deemed to be a minor change.

[Above paragraph designated (a) and (b) added by Am. 16, 9 F.R. 7198, effective 7-3-44]

(b) *Maximum price of cable wrapping tape where buna-S (GR-S) or butyl (GR-I) is substituted for natural rubber.* The maximum price of cable wrapping tape which differs from cable wrapping tape delivered or offered for delivery by the manufacturer during March, 1942, only because of the substitution of buna-S (GR-S) or butyl (GR-I) for natural rubber shall be determined as follows:

(1) If the manufacturer quoted prices for the natural rubber tape during March 1942 by the linear yard or square yard, the maximum price of the cable wrapping tape made of buna-S (GR-S) or butyl (GR-I) shall be the same as the maximum price of the natural rubber tape.

(2) If during March 1942 the manufacturer quoted prices for the natural rubber tape by the pound, he shall determine the maximum price for the cable wrapping tape made of buna-S (GR-S) or butyl (GR-I) to each class of purchaser as follows:

(i) The manufacturer shall determine his March 1942 price per square yard of the natural rubber tape for each class of purchaser. For example: If during March 1942 the natural rubber tape sold for 40¢ per pound and weighed 60 pounds per 100 square yards, his March 1942 price for a square yard is $40¢ \times 60 \div 100 = 24¢$ per square yard.

(ii) The price determined under (i) above shall be the maximum price per square yard of the buna-S (GR-S) or butyl (GR-I) cable wrapping tape for each class of purchaser. This price may be converted into a price per pound. For example: If the maximum square yard price is 24¢ and the buna tape weighs 50 pounds per 100 square yards, the maximum price per pound would be $24¢ \times 100 \div 50 = 48¢$ per pound.

[§ 1315.1555 amended by Am. 3, 8 F.R. 1584, effective 2-8-43; Am. 9, 8 F.R. 7497, effective 6-17-43; and as otherwise noted]

§ 1315.1556 *Second pricing method: Changes necessitated by shortages of materials or parts—(a) Maximum prices.* The maximum price of any rubber commodity which cannot be priced under § 1315.1555 and which differs from a commodity delivered or offered for delivery by the manufacturer during March, 1942, only because of changes necessitated by shortages of materials or parts, shall be determined as follows: The manufacturer shall first determine the maximum price to each class of purchaser (in accordance with § 1315.1553) of the commodity delivered or offered for delivery during March, 1942. The manufacturer shall then determine the maximum

price of the changed commodity for each class of purchasers by adding to or subtracting from this price for the particular class of purchasers, the increase or decrease in direct costs resulting from the changes. The seller must determine the maximum price of a commodity priced under this section before he first offers it for sale. Once the seller has determined his maximum price for the sale of a particular commodity to a particular class of purchasers under this section, that price is his maximum price for all future sales of that commodity to that class of purchasers unless a change in that maximum price is made or required by the Office of Price Administration.

[Last sentence amended by Am. 27, effective 4-24-46]

In calculating the direct costs for both the commodity delivered or offered for delivery during March, 1942, and the changed commodity the manufacturer shall follow the method for computation of direct costs set forth in paragraph (a) (1) of § 1315.1557.

[Paragraph (a) amended by Am. 3, 8 F.R. 1584, effective 2-8-43]

(b) *Report of maximum prices.* Within five days after a purchaser first agrees to buy a commodity for which a maximum price must be determined under this section, or at any time prior thereto, the manufacturer shall report to the Office of Price Administration, Washington, D. C. the maximum price as computed by him. The report shall contain a description of the commodity delivered or offered for delivery during March, 1942 and of the commodity being priced under this section, a detailed explanation of the changes made (including any innovation in manufacturing process) and the reasons therefor and details of the computation of direct costs and of the maximum price. The manufacturer may not accept payment for the commodity until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. The report required by this paragraph (b) shall not be made on orders of less than \$25.00.

The Office of Price Administration may at any time by written order adjust (not to apply retroactively) any maximum price established under this section so as to make it consistent with the general level of maximum prices established under the regulation.

[Paragraph (b) amended by Am. 3, 8 F.R. 1584, effective 2-8-43 and Am. 27, effective 4-24-46]

§ 1315.1557 *Third pricing method: Other than minor changes or changes necessitated by shortages of materials or parts.* The maximum price of any commodity which cannot be priced under §§ 1315.1555 or 1315.1556 shall be the price determined by the use of the following formula: The maximum price shall be the sum total of direct costs

and gross margin, less the deduction required by paragraph (e) of this section wherever applicable, determined as follows:

[Above paragraph amended by Am. 3, 8 F.R. 1584, effective 2-8-43]

(a) *Maximum price for the first sale—(1) Computation of direct costs.* The direct costs of a commodity shall be the sum total of direct labor and direct materials costs. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the rubber commodity by the wage rates determined in accordance with subdivision (i) of this subparagraph (1). The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the rubber commodity by the materials prices determined in accordance with subdivision (ii) of this subparagraph (1).

(i) *Wage rates.* The wage rates applicable to any commodity shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the commodity. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(ii) *Materials prices.* (a) The price of any materials, other than synthetic or substitute rubber or balata, used in the calculation of materials costs shall be the highest price for the material in effect to the manufacturer, or, if no price was in effect to the manufacturer, the highest price in effect to a purchaser of the same class as the manufacturer during March, 1942, or the maximum price set by the Office of Price Administration, whichever is the lower. If there was no price for the material in effect to the manufacturer or a purchaser of the same class during March, 1942, the price for the material shall be the first price at which the material was offered for sale to the manufacturer after March 31, 1942, or the maximum price set by the Office of Price Administration, whichever is the lower. For the purposes of this subdivision (ii) if the manufacturer shall receive a written statement from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, the price as stated by the seller will be deemed to be not in excess of the maximum price established by the Office of Price Administration for that material.

(b) The price of any synthetic rubber or substitute rubber or balata used in the calculation of materials costs shall be the highest price for the material in effect to the manufacturer on August 1, 1943, or the current price (not exceeding the maximum price), whichever is lower; or, if no price was in effect to the manufacturer, the highest price in effect to a

purchaser of the same class as the manufacturer on August 1, 1943, or the current price (not exceeding the maximum price), whichever is lower. If there was no price for the material in effect to the manufacturer or a purchaser of the same class on August 1, 1943, the price of the material shall be the first price at which the material was offered for sale to the manufacturer after August 1, 1943, or the current price (not exceeding the maximum price), whichever is lower.

[Paragraph (b) amended by Am. 23, 10 F.R. 12741, effective 10-15-45 and Am. 27, effective 4-24-46]

[Subparagraph (ii) amended by Am. 9, 8 F.R. 7497, effective 6-17-43; and Am. 12, 8 F.R. 10983, effective 8-12-43]

(2) *Computation of gross margin.* The "gross margin," which means the difference, expressed in dollar-and-cents, between the net selling price and the total direct costs, shall include only items (such as factory overhead, depreciation, commercial expense, transportation, warehouse expense, and margin of profit) that the manufacturer used in calculating the selling price of a comparable commodity during March 1942, adjusted to reflect the discounts, allowances, and differentials that were in effect to each class of purchaser at that time. The bases and rates used in the calculation of the gross margin of a commodity being priced shall be the bases and rates used in selling, or in calculating the gross margin for, the most comparable commodity sold during March 1942, which comparable commodity must be selected as follows:

The commodity used as a basis for determining the gross margin shall be one which was sold or offered for sale by the applicant during March 1942, whose maximum price is determined under this regulation, and which has the same general end use as the commodity being priced. (For example, two raincoats have the same general end use even if made of different materials and in different styles.) If two or more commodities meet these requirements, the applicant shall:

(i) Select a commodity belonging to the narrowest trade category within the general end use to which the commodity being priced belongs. For example, raincoats may be men's, women's, boys', etc. Men's raincoats may be further classified as work or dress coats. If a men's dress raincoat is to be priced, the most comparable commodity is another men's dress raincoat or, lacking that, another men's raincoat, or, finally, any other raincoat.

(ii) If two or more commodities meet the conditions in (i) above, select that commodity made by the same processes. For example, two vulcanized raincoats are made by the same process; two sewn raincoats are made by the same process.

(iii) If two or more commodities meet the conditions in (ii) above, select that commodity having total direct costs nearest to the total direct costs of the commodity being priced.

[Subparagraph (2) amended by Am. 27, effective 4-24-46]

(b) *Maximum price for the second or subsequent sale of a rubber commodity, which is not a standard list item.* If a manufacturer makes a second sale of a rubber commodity, the maximum price of which has been determined pursuant to the provisions of paragraph (a) of this section, the maximum price for the second sale of such commodity shall be determined in accordance with the provisions of paragraph (a) of this section, except that actual labor hours and actual quantity of materials used in the production of the first order of the commodity, adjusted for changes in technique and anticipated volume, shall be used in such determination. The maximum price determined for a second sale of a commodity under this paragraph shall be the maximum price for subsequent sales of that commodity.

(c) *Maximum price for standard list items.* If a rubber commodity, the maximum price of which has already been established by paragraph (a) of this section, is offered for sale as a standard list item, the maximum price shall be recomputed according to the provisions of paragraph (a) of this section, except that actual labor hours and actual quantity of materials used in the production of the first order of the commodity, adjusted for changes in technique and anticipated volume, shall be substituted for estimated labor hours and estimated quantity of materials used. This adjustment in the maximum price of the commodity shall be made between forty-five and seventy-five days after the manufacturer begins the production of such commodity as a standard list item and shall be reported to the Office of Price Administration in accordance with paragraph (d) within five days after the adjustment is made.

[Paragraph (c) amended by Am. 3, 8 F.R. 1584, effective 2-8-43 and Am. 27, effective 4-24-46]

(d) *Reports of maximum prices.* Within five days after a purchaser first agrees to buy a commodity for which a maximum price must be determined under paragraph (a), (b), or (c) of this section, or at any time prior thereto, the manufacturer shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by him. The report shall contain a full description of the commodity being priced and of any innovation in manufacturing processes involved and a detailed explanation of the computation of the direct costs and the maximum price. It shall also contain a description of the commodity which determines the bases and rates used in the calculation of the gross margin of the commodity being priced and the maximum price, direct costs and an explanation of the reasons for the selection of that commodity. The manufacturer may not accept pay-

ment for the commodity until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. The report required by this paragraph (d) shall not be made on orders of less than \$25.00.

The Office of Price Administration may at any time by written order adjust (not to apply retroactively) any maximum price established under this section so as to make it consistent with the general level of maximum prices established under the regulation.

[Paragraph (d) amended by Am. 3, 8 F.R. 1584, effective 2-8-43 and Am. 27, effective 4-24-46]

(e) *Deduction of the amount of the federal excise tax on rubber commodities.* If, during March, 1942, the manufacturer did not customarily state and collect separately from the purchase price the federal excise tax on rubber commodities, he shall deduct the amount of such tax from the maximum price determined in accordance with the provisions of paragraphs (a) to (c), inclusive, of this section.

[Paragraph (e) added by Am. 3, 8 F.R. 1584, effective 2-8-43]

§ 1315.1557a *Fractions of a cent.* Notwithstanding any other provisions of this regulation, maximum prices determined under this regulation shall be adjusted to the nearest fraction of a cent that the seller customarily used during March, 1942, in pricing commodities in the same line.

[§ 1315.1557a added by Am. 12, 8 F.R. 10983, effective 8-12-43]

§ 1315.1557b *Maximum manufacturers' prices for elastic webbing, braid, and cord—(a) Applicability of this section.* This section, and not §§ 1315.1553 to 1315.1557, inclusive, establishes maximum prices for sales by manufacturers of elastic webbing, braid, and cord.

(b) *Maximum prices.* The maximum price for a sale of elastic webbing, braid, or cord by a manufacturer shall be the sum total of direct labor and material costs, waste, and gross margin computed in accordance with paragraph (c) and adjusted to reflect the discounts, allowances, and other deductions in effect to each class of purchaser on October 1, 1941.

[Paragraph (b) amended by Am. 27, effective 4-24-46]

(c) *Computation of the maximum price—(1) Direct labor costs.* Direct labor costs shall be those labor costs which were treated as such in the manufacturer's accounting system in effect on March 1, 1942, and shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the elastic webbing, braid, or cord being priced, by the highest wage rate in effect in the manufacturer's plant during March 1942 for that type of labor. If the manufacturer did not employ a given class of labor during March 1942, he shall use the wage rate paid during March 1942

by the nearest employer operating under comparable conditions who employed that class of labor during that period.

(2) *Direct materials costs.* Direct materials costs shall be those materials costs which were treated as such in the manufacturer's accounting system in effect on March 1, 1942, and shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the elastic webbing, braid, or cord, by the following material prices:

(i) For synthetic rubber and for bare and covered rubber thread, the manufacturer shall use the net price, not to exceed the maximum price, for the material in effect to him on the date on which he calculates his maximum prices.

[Subparagraph (i) amended by Am. 20, 10 F.R. 12084, effective 9-29-45]

(ii) For all other materials the manufacturer shall use the highest net material price in effect to him (or in effect to a purchaser of the same class as the manufacturer if no price was in effect to the manufacturer) during March 1942, or the current price (not exceeding the maximum price), whichever is lower. If there was no March 1942 price for any such material, the materials cost to be used in determining the maximum price shall be the first ascertainable net price in effect to the manufacturer after March 1942 or the current price (not exceeding the maximum price), whichever is lower.

[Subparagraph (ii) amended by Am. 27, effective 4-24-46]

(3) *Waste.* Waste costs shall be determined by applying the same methods as were used by the manufacturer in similar production during October 1, 1941, adjusted to reflect the estimated quantity of waste in the production of the elastic webbing, braid, or cord being priced.

(4) *Gross margin.* Gross margin, other than waste, shall be calculated by the methods and rates used by the manufacturer on October 1, 1941, for his sales of elastic webbing, braid, or cord. These methods and rates shall be filed with the Office of Price Administration in accordance with the provisions of paragraph (e) of this section.

(d) *Recomputation of the maximum price.* If an elastic webbing, braid, or cord priced under paragraph (c) is produced or supplied by the manufacturer for a period of two months after being priced, its maximum price shall be redetermined by substituting actual labor hours and actual quantity of materials for the estimated hours and estimated quantity of materials used in the original computation of the maximum price. This redetermination of the maximum price shall be made between 60 and 75 days after the manufacturer begins production of the commodity. At the time of recomputation, the redetermined maximum price, and the details of its computation, shall be reported to the Office of Price Administration. If the manufacturer's production experience during the first two months of production is inadequate to determine his costs accu-

ately, he may request and receive approval from the Office of Price Administration, Washington, D. C., for a further period for recomputation. This request must be made at the time of the first recomputation.

(e) *Reports.* Every manufacturer subject to the provisions of this section shall file with the Office of Price Administration, Washington, D. C.:

(1) On or before August 28, 1944, the price determining methods and rates in effect in each of his plants on October 1, 1941, for the determination of gross margin on elastic webbing, braid, or cord.

(2) On or before August 28, 1944, all discounts and other allowances in effect in each of his plants on October 1, 1941, for sales of elastic webbing, braid, or cord to each class of purchaser.

(3) Within 10 days after a purchaser first agrees to buy an elastic webbing, braid, or cord, the maximum price of which must be determined under paragraph (c) of this section, a description of the elastic webbing, braid, or cord being priced, the maximum price of each such article and the calculations used in the determination of the maximum price, including the dates on which the prices and rates used in the calculations were in effect in each of his plants.

(f) *Approval of reported prices.* The manufacturer may not accept payment for any elastic webbing, braid, or cord priced under paragraph (c) until the reported price has been approved in writing by the Office of Price Administration, or until 15 days have elapsed after the mailing of the report without the Office of Price Administration objecting to the maximum price reported. Within this 15-day period, the price so reported shall be subject to adjustment by the Price Administrator. Subsequent to this 15-day period, such price shall be subject to adjustment (not to apply retroactively) at any time by the Price Administrator.

(g) *Terms and conditions of sale and deduction of the amount of Federal excise taxes on rubber commodities.* Sections 1315.1557 (e) and 1315.1559 shall apply to the commodities priced under this section, except that the words "October 1, 1941," shall be substituted for the words "during March 1942" where the latter words appear.

(h) *Revocation of certain manufacturers' maximum prices for elastic webbing, braid, and cord.* All manufacturers' maximum prices (whether established by order of the Office of Price Administration or otherwise) for elastic webbing, braid, and cord made in whole or in part of bare cut neoprene rubber thread, that were computed by using the prices of bare cut neoprene rubber thread that were in effect prior to August 6, 1945, are revoked, effective May 14, 1946. Any manufacturer whose maximum prices for these commodities are here revoked, shall reestablish his maximum prices in the manner provided by § 1315.1557b.

[Paragraphs (g) and (h) added and former (g) redesignated (i) by Am. 27, effective 4-24-46]

(i) *Elastic webbing, braid, or cord which cannot be priced under paragraphs (b) and (c).* The maximum price for any elastic webbing, braid, or cord which cannot be priced under paragraphs (b) and (c) of this section, shall be determined in accordance with the provisions of § 1315.1558.

[§ 1315.1557b added by Am. 17, 9 F.R. 9650, effective 8-14-44; amended as otherwise noted]

§ 1315.1557c. *Maximum wholesalers' prices for elastic webbing, braid and cord—(a) Applicability.* This section establishes maximum prices for all sales by wholesalers of elastic webbing, braid, and cord.

(b) *Maximum wholesalers' prices for elastic webbing, braid, or cord which the wholesaler buys from a manufacturer—*

(1) *How the wholesaler calculates the maximum price.* The maximum price for a sale by a wholesaler of any elastic webbing, braid, or cord which the wholesaler buys from the manufacturer thereof, shall be calculated by multiplying the percentage determined in accordance with subparagraph (2) by:

(i) The wholesaler's net invoiced cost before cash discounts of the commodity, if available, not to exceed the applicable maximum price; or

(ii) If actual cost is not available, the net invoiced cost before cash discounts of the commodity as estimated by the wholesaler's supplier: *Provided*, That the wholesaler has no reason to believe that the price so estimated exceeds the maximum price.

(iii) If the cost determined under subparagraphs (i) or (ii) above is not on a delivered basis, the wholesaler shall add the actual cost of transportation to his place of business.

(2) *How the wholesaler determines the percentage which must be used in determining the maximum price.* The percentage which the wholesaler must use in determining the maximum price shall be determined as follows:

(i) The wholesaler shall first determine what elastic webbing, braid, or cord he must use in determining the percentage. This shall be the first applicable of the following which he sold or offered for sale on October 1, 1941:

(a) The elastic webbing, braid, or cord which is the same as the one being priced;

(b) The elastic webbing, braid, or cord which has the same use as the one being priced. If there are more than one which have the same use as the commodity being priced, the wholesaler shall use that one whose purchase price is nearest to the purchase price of the commodity being priced. The purchase price shall be determined in accordance with subparagraph (1) above;

(c) The elastic webbing, braid, or cord whose purchase price is nearest to the purchase price of the commodity being priced. The purchase price shall be determined in accordance with subparagraph (1) above.

(ii) The wholesaler shall then determine the price at which on October 1,

1941, he was offering to sell that elastic webbing, braid, or cord to a purchaser of the same class.

(iii) The wholesaler shall then determine the percentage by dividing this selling price by the purchase price in effect to him on the date on which he established this selling price.

(3) *Reports of proposed maximum prices.* The wholesaler shall file a report with the Regional Office of the Office of Price Administration for the region in which he is located within 5 days after he first offers for sale an elastic webbing, braid, or cord, the maximum price of which must be established under paragraph (b) of this section. This report shall contain:

(i) A description of the elastic webbing, braid, or cord being priced;

(ii) The purchase price of such commodity and the name of the supplier; and

(iii) A description of the elastic webbing, braid, or cord which he must select in accordance with paragraph (b) (2) of this section for purposes of determining his percentage margin, and the reasons for the selection of this commodity.

(4) *Approval of reported prices.* The wholesaler may not accept payment for any elastic webbing, braid, or cord priced under paragraph (b) until the reported price has been approved in writing by the Office of Price Administration, or until 21 days shall have elapsed after the mailing of the report without the Office of Price Administration objecting to the maximum price reported. Within this 21-day period, the price so reported shall be subject to adjustment by the Price Administrator or the Regional Administrator. Subsequent to this 21-day period, such price shall be subject to adjustment (not to apply retroactively) at any time by the Price Administrator or the Regional Administrator. However, orders may be accepted and invoices issued at the proposed price subject to approval or adjustment by the Office of Price Administration. A notation that the price is subject to the approval of the Office of Price Administration must be made on all quotations and invoices until the proposed price is approved or adjusted. The wholesaler shall prepare and send to the customers affected corrected invoices in all cases where the price approved by the Administrator or the Regional Administrator differs from the price proposed by the wholesaler.

(c) *Wholesale maximum prices which cannot be determined under paragraph (b).* The wholesale maximum price for any elastic webbing, braid, or cord which cannot be priced under paragraph (b) above, shall be a price consistent with the level of maximum prices established by this regulation, specifically authorized by the Office of Price Administration. Prior to first offering the commodity for sale, the wholesaler shall submit to the Regional Office of the Office of Price Administration for the region in which he is located, a report applying for a specific authorization of the maximum price. The report shall contain:

(1) A description in detail of the commodity;

(2) A statement of the facts which make it necessary to price a commodity under this paragraph;

(3) A proposed pricing method and the price for the commodity determined in accordance with this method; and

(4) A statement of the reasons why the wholesaler believes that the use of this method results in prices which are in line with the level of prices established by this regulation.

The Price Administrator or any Regional Administrator may approve or disapprove, and may at any time after approval correct maximum prices proposed or established under this paragraph, so as to make them consistent with the level of maximum prices otherwise established by this regulation.

(d) *Reports of base period selling prices and purchase costs.* Every wholesaler subject to the provisions of this section shall file with the Regional Office of the Office of Price Administration for the region in which he is located, on or before August 28, 1944:

(1) A list of the elastic webbings, braids, or cords which he was offering to sell on October 1, 1941, and the price at which he was offering to sell each on that date to each class of purchaser.

(2) The purchase price of each such elastic webbing, braid, or cord in effect

to the wholesaler at the time the price listed in subparagraph (1) above was established.

[§ 1315.1557c added by Am. 17, 9 F.R. 9650, effective 8-14-44]

§ 1315.1557d *Maximum prices for sales of rubber bands at all levels—(a) Applicability.* Notwithstanding any other provision of this regulation or order previously issued under this regulation, this § 1315.1557d, and not §§ 1315.1553 to 1315.1557, inclusive, establishes maximum prices for sales by manufacturers, wholesalers and dealers of rubber bands. A "sale by a dealer" is a sale by a person who purchases for resale to a user.

(b) *Maximum prices for sales of rubber bands made of buna-S or natural rubber or any combination thereof, by manufacturers and for sales by wholesalers to dealers.* The maximum prices for sales by manufacturers to all purchasers and for sales by wholesalers to dealers of the rubber bands made of buna-S or natural rubber or any combination thereof, shall be as follows:

[Section heading, paragraph (a) and above portion of (b) amended by Am. 25, 11 F.R. 2179, effective 3-6-46]

MAXIMUM PRICES BEFORE CASH DISCOUNTS¹

[Prices per pound]

Package put up—	1-9 pounds	10-49 pounds	50-99 pounds	100-199 pounds	200-499 pounds	500 pounds and over
1 pound box.....	\$1.05	\$0.80	\$0.74	\$0.70	\$0.68	\$0.64
1/4 pound folding box.....	1.15	.90	.835	.79	.765	.72
1/4 pound rigid box.....	1.20	.95	.88	.835	.81	.76
2 ounce box.....	1.25	1.00	.925	.88	.85	.80
1 ounce box.....	1.35	1.10	1.02	.965	.935	.88
5 pound bag.....	1.03	.78	.72	.685	.665	.625
Band tubes.....	1.01	.76	.705	.665	.645	.61

¹ These prices are for standard sizes 8, 10, 12, 14, 16, 18, 19, 30, 31, 32, 33, 50, 62, 64, 84, 94, 105 and assorted. For sizes 6 and 7 add 15 cents per pound to the above prices. For special sizes (bands cut from standard size tubes but of nonstandard width) the above maximum prices apply except that the minimum quantity order for sales by manufacturers shall be 25 pounds. For nonstandard sizes (bands cut from nonstandard tubes) the above maximum prices apply except that the minimum quantity order for sales by manufacturers shall be 100 pounds.

² Terms shall be 2 percent 10th proximo.

³ Freight allowances shall be as follows: Freight allowed on shipments of 100 pounds of bands for complete delivery at one time to any point east of the Mississippi River and including river towns bordering on the west bank of the Mississippi River. Actual freight up to \$2.50 per hundred pounds of bands shall be allowed for complete delivery at one time to other points.

⁴ The prices set forth in this table are for rubber bands of standard black and gray colors. A differential of 5¢ per pound may be added to these prices for rubber bands of colors other than standard black and gray.

[Footnote 3 amended by Am. 19, 10 F.R. 4599, effective 5-1-45]

[Footnote 4 added by Am. 25, 11 F.R. 2179, effective 3-6-46]

(c) *Maximum prices for sales of rubber bands made of buna-S or natural*

rubber or any combination thereof, by dealers. The maximum prices for sales by dealers of rubber bands made of buna-S or natural rubber or any combination thereof, shall be as follows:

MAXIMUM PRICES BEFORE CASH DISCOUNTS¹

[Prices per pound]²

Package put-up	Retail price per package ³	1-4 pounds	5-9 pounds	10-49 pounds	50-99 pounds	100-199 pounds	200-499 pounds	500 pounds and over
1 pound box.....		\$1.50	\$1.26	\$1.14	\$1.06	\$1.00	\$0.97	\$0.91
1/4 pound box ³ or bag.....	\$0.50	1.80	1.62	1.29	1.20	1.13	1.09	1.03
1 ounce box ³ or bag.....	.20	2.50	2.25	1.57	1.46	1.37	1.33	1.26
5 pound bag.....		1.23	1.11	1.03	.94	.84	.84	.89
1/2 ounce bag.....	.10							

¹ These prices are subject to the cash discount and freight allowance terms which the dealer had in effect during October 1941.

² A differential of 5¢ per pound may be added for sales of rubber bands of colors other than standard black and gray in quantities of 1 pound or more.

³ These retail prices for sales in quantities of less than 1 pound apply to rubber bands of all colors.

[Paragraph (c) amended by Am. 19, 10 F.R. 4599, effective 5-1-45 and Am. 25, 11 F.R. 2179, effective 3-6-46]

(d) *Notification of maximum prices.* With or prior to the first delivery of any

rubber bands priced under paragraph (c) of this section to a dealer, the manufacturer or wholesaler shall notify the dealer in writing, of maximum dealer prices

therefor, set forth in paragraph (c) of this section.

[Paragraph (d) amended and (e) added by Am. 25, 11 F.R. 2179, effective 3-6-46]

(e) *Maximum prices for all rubber bands that cannot be priced under paragraphs (b) and (c).* Maximum prices for all rubber bands that cannot be priced under paragraphs (b) and (c) shall be established under § 1315.1558.

[§ 1315.1557d added by Am. 18, 10 F.R. 1747, effective 2-17-45; amended as otherwise noted]

§ 1315.1557e *Maximum prices for manufacturers' and wholesalers' sales of sandblast stencil—(a) Applicability.* This section and not §§ 1315.1553 to 1315.1557, inclusive, establishes maximum prices for sales by manufacturers and wholesalers of sandblast stencil made in whole or in part of rubber.

(b) *Maximum prices.* The maximum prices for sales by manufacturers and wholesalers of the following sandblast stencil shall be as follows:

Item	Size	Maximum list price per roll
Sandblast stencil, sheeting backed.	Holland 12½" x 10 yd.	\$8.75
Sandblast stencil, sheeting backed.	Holland 24½" x 10 yd.	17.45

For manufacturers' sales to wholesalers, the above maximum prices are subject to a 25 percent trade discount and to cash discount of 2 percent, ten days net thirty days. The freight charge is to be paid by seller.

For sales by wholesalers, the above list prices are subject to all discounts and allowances and freight terms that the wholesaler had in effect to each class of purchaser of sandblast stencil during March 1942. If the seller did not sell or offer for sale sandblast stencil during March 1942, or if he proposes to sell sandblast stencil to a different class of purchaser than he sold during March 1942, such wholesaler shall not sell or offer for sale sandblast stencil until the discounts, allowances and freight terms applicable to his sales have been established by order of the Office of Price Administration which shall be issued after application therefor by the wholesaler in accordance with paragraph (c) below.

(c) *Maximum prices for sandblast stencil not covered by paragraph (b).* The maximum prices for sales by manufacturers and wholesalers of sandblast stencil which cannot be priced under paragraph (b) above shall be established pursuant to § 1315.1558.

[§ 1315.1557e added by Am. 22, 10 F.R. 12160, effective 10-1-45]

§ 1315.1557f *Maximum wholesalers' prices for industrial rubberized fabric gloves—(a) Applicability.* This section establishes maximum prices for all sales by wholesalers of industrial rubberized fabric gloves.

(b) *Maximum wholesalers' prices for sales of industrial rubberized fabric gloves—(1) How the wholesaler determines the maximum price for such gloves.* The maximum price for a sale by whole-

salers of industrial rubberized fabric gloves shall be determined by multiplying the wholesaler's purchase price (computed in accordance with subparagraph (2) below) of the gloves being priced by the percentage the wholesaler used in computing his March 1942 selling price for a comparable rubberized fabric glove (chosen and computed in accordance with subparagraph (3) below).

(2) *How the wholesaler determines his purchase price.* The purchase price to him of the gloves being priced which the wholesaler must use in computing his maximum price shall be determined as follows:

(i) The wholesaler shall first determine the net invoice cost before cash discounts of the gloves being priced, if available, not to exceed his supplier's maximum price to the wholesaler; or

(ii) If actual cost is not available, the net invoice cost before cash discounts of the gloves being priced, as estimated by the wholesaler's supplier; *Provided*, That the wholesaler has no reason to believe that the price so estimated exceeds the supplier's maximum price to the wholesaler;

(iii) If the cost determined under subdivisions (i) or (ii) is not on a delivered basis, the wholesaler shall add the actual cost of transportation to his place of business.

(3) *How the wholesaler determines the percentage which must be used in computing his maximum price.* The percentage which the wholesaler must apply to his net purchase price of the gloves being priced to determine their maximum price shall be determined as follows:

(i) The wholesaler shall first determine what rubberized fabric glove he must use in determining the percentage. That glove shall be the first applicable of the following gloves which he delivered or offered for delivery during March 1942.

(a) The rubberized fabric glove which is the same as the glove being priced.

(b) The rubberized fabric glove which has the same use as the glove being priced. If there is more than one glove which has the same use as the glove being priced, the wholesaler shall use that one of those gloves whose purchase price is nearest to the purchase price of the glove being priced. The purchase price of both gloves shall be determined in accordance with paragraph (b) (2) of this section.

(c) The rubberized fabric glove whose purchase price is the nearest to the purchase price of the glove being priced. The purchase price of both gloves shall be determined in accordance with paragraph (b) (2) of this section.

(ii) The wholesaler shall then determine the highest price at which he, during March 1942, delivered, or if no delivery was made, at which he then offered to deliver, the gloves chosen in accordance with subdivision (i) above, to a purchaser of the same class.

(iii) The wholesaler shall then determine the percentage by dividing his March 1942 selling price of the glove chosen as a basis for pricing (under subparagraph (3) (i) above) by the pur-

chase price of that glove that was in effect to him on the date on which he established its March 1942 selling price. The purchase price shall be determined in accordance with paragraph (b) (2) of this section.

(c) *Maximum prices for sales by wholesalers of rubberized fabric gloves that cannot be established under paragraph (b).* The maximum price for sales of rubberized fabric gloves by a wholesaler who cannot establish his maximum prices under paragraph (b) above shall be established under § 1315.1558.

[§ 1315.1557f added by Am. 21, 10 F.R. 12084, effective 9-29-45]

§ 1315.1557g *Maximum manufacturers' prices for cements—(a) Applicability of this section.* (1) This section and not §§ 1315.1553 to 1315.1557, inclusive, establishes maximum prices for sales by manufacturers of cements and adhesives made in whole or in part of rubber, synthetic rubber, or substitute rubber and pyroxylin base cements and adhesives. This regulation does not apply to tire and tube repair cements or to cements and adhesives made of vegetable and animal material other than natural rubber, synthetic rubber or substitute rubber, such as starch, casein, and glue.

(2) The maximum prices for all cements and adhesives covered by this section which were established prior to October 30, 1945, by this regulation or any other regulation or by any order of the Office of Price Administration (except those previously priced by order of the Office of Price Administration under § 1315.1558 of this regulation) shall be re-established in accordance with paragraph (c) and thereafter redetermined in accordance with paragraph (d) of this § 1315.1557g, or in accordance with paragraph (g) if their maximum prices cannot be re-established under paragraphs (c) and (d).

(b) *Maximum prices.* The maximum price for a sale by a manufacturer of a cement or adhesive covered by this section (except the first \$50.00 of sales of a new commodity covered by this section which is made experimentally in a laboratory and not by ordinary production methods) shall be the sum total of direct labor and materials costs, waste and gross margin, computed in accordance with paragraph (c).

(c) *Computation of the maximum price—(1) Direct labor costs.* Direct labor costs shall be those labor costs which were treated as such in the manufacturer's accounting system in effect on March 1, 1942, and shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the commodity being priced by the highest wage rate in effect in the manufacturer's plant during March 1942 for that type of labor. If the manufacturer did not employ a given class of labor during March 1942, he shall use the wage rate paid during March 1942 by the nearest employer operating under comparable conditions who employed that class of labor during that period.

(2) *Direct materials costs.* Direct materials costs shall be those materials costs which were treated as such in the manu-

factor's accounting system in effect on March 1, 1942, and shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the commodity being priced by the following material prices:

(i) For synthetic rubber, the manufacturer shall use the net price, not to exceed the maximum price, for the material in effect to him on the date on which he calculates his maximum price, or the price which was in effect to him on August 1, 1943, whichever is lower.

(ii) For all other materials, the manufacturer shall use the highest net materials prices in effect to him, or, if no price was in effect to him, the highest net materials price in effect to a purchaser of the same class as the manufacturer, during March 1942, or the current price, whichever is lower. If there was no March 1942 price of any such material, the materials cost to be used in determining the maximum price shall be the first ascertainable net price (not exceeding the maximum price) in effect to the manufacturer after March 31, 1942, or the current price, whichever is lower.

(3) *Waste.* Waste costs shall be determined by applying the same methods as were used by the manufacturer in similar production in March 1942 adjusted to reflect the estimated quantity of waste in the production of the cement or adhesive being priced.

(4) *Gross margin.* Gross margin, other than waste, shall be calculated by the methods and rates used by the manufacturer on March 1, 1942, for his sales of the type of cement or adhesive being priced. These methods and rates shall be filed with the Office of Price Administration in accordance with the provisions of paragraph (f) of this section.

(d) *Recomputation of the maximum price.* If a cement or adhesive priced under paragraph (c) is produced or supplied by the manufacturer for a period of two months after being priced, its maximum price shall be redetermined by substituting actual labor hours and actual quantity of materials for the estimated hours and estimated quantity of materials used in the original computation of the maximum price. This redetermination of the maximum price shall be made between sixty and seventy-five days after the manufacturer begins production of the commodity which he has priced under paragraph (c). If the manufacturer's production experience during the first two months of production is inadequate to determine his costs accurately, he may request and receive approval from the Office of Price Administration, Washington, D. C., for a further period for recomputation. This request must be made at the time set forth above for the first recomputation.

(e) *Maximum price for the first \$50.00 of sales of a commodity made in the laboratory.* Notwithstanding any other provision of this section the manufacturer's maximum price for the first \$50.00 of sales of a new commodity covered by this section which is made experimentally in a laboratory and not by ordinary production methods shall be any price therefor agreed upon by the

manufacturer and the purchaser. Paragraphs (b), (c), and (d) shall apply to all sales in excess of the first \$50.00 of sales.

(f) *Reports.* On or before November 30, 1945, every manufacturer subject to the provisions of this section shall file with the Office of Price Administration, Washington, D. C.:

(1) The price determining methods and rates in effect in each of his plants on March 1, 1942, for the determination of gross margin on cements.

(2) All cash, trade and quantity discounts, freight allowances and all other discounts and allowances and differentials in effect in each of his plants on March 1, 1942, for sales of the commodities priced by this section to each class of purchaser.

(g) *Cements which cannot be priced under paragraphs (b) and (c).* A manufacturer's maximum price for cements and adhesives covered by this section which cannot be established under paragraphs (b) and (c) or under paragraph (e) of this section, shall be determined in accordance with the provisions of § 1315.1558.

[§ 1315.1557g added by Am. 24, 10 F.R. 13310, effective 10-30-45]

§ 1315.1558 *Fourth pricing method; specific authorization by the Office of Price Administration—(a) Maximum prices.* The maximum prices for sales of any commodity at any level covered by the regulation which cannot be priced under any other section shall be a price in line with the level of maximum prices established by the regulation specifically authorized by the Office of Price Administration.

(b) *Reports of maximum prices.* Prior to first offering the commodity for sale, the applicant shall submit to the Office of Price Administration, Washington, D. C., a report applying for a specific authorization of a maximum price. The report shall contain: (1) a description in detail of the commodity (including the manufacturing process if the applicant is a manufacturer); (2) a statement of facts which make it necessary to price the commodity under this section; (3) a proposed pricing method and the price for the commodity determined in accordance with this method, and the cash discount, freight and quantity allowances and other allowances and discounts applicable to each class of purchaser; (4) a statement of the reasons why the applicant believes that the use of this method results in prices which are in line with the level of maximum prices established by this regulation. The applicant may not sell or offer for sale the commodity to be priced under this section until an order establishing its maximum price has been issued by the Office of Price Administration.

[§ 1315.1558 amended by Am. 3, 8 F.R. 1584, effective 2-8-43; Am. 17, 9 F.R. 9650, effective 8-14-44; and Am. 22, 10 F.R. 12160, effective 10-1-45]

§ 1315.1558a *Maximum wholesale and retail prices for certain sanitary treated items—(a) Applicability of this section.* This section is applicable to wholesale and retail sales of baby bibs, baby pants,

crib sheets, diaper and utility bags, diaper covers, lap pads, mattress covers and coveralls, nursery seat rings, pillow cases and place mats.

(b) *Maximum wholesale prices.* The maximum price for sales at wholesale of any of the commodities listed in the preceding paragraph (paragraph (a)) delivered after May 12, 1943 is the maximum price, for the particular type of sale, furnished the wholesaler by the manufacturer. This maximum price must be furnished by the manufacturer in accordance with provisions of § 1315.1559a of this regulation. If the manufacturer has not notified the wholesaler of the maximum price, the wholesaler shall not deliver the commodity until he has obtained the maximum price from the manufacturer.

(c) *Maximum retail prices.* The maximum price for a sale at retail of any of the commodities listed in paragraph (a) of this section delivered after May 12, 1943 is the price for the particular type of sale, furnished the retailer by the person from whom he purchased the commodity. This maximum price must be furnished by that person in accordance with the provisions of § 1315.1559a of this regulation. If the retailer has not been notified of the maximum retail price, he may not sell the commodity until he has obtained the maximum retail price from the person who sold it to him.

[§ 1315.1558a added by Am. 8, 8 F.R. 6043, effective 5-13-43]

§ 1315.1558b *Maximum prices for certain specified rejected commodities.* Notwithstanding any other provisions of this regulation, the maximum price of the following commodities which have been manufactured for the use of the United States, or any agency thereof, but have been rejected as not meeting the purchaser's standards, hereinafter referred to as "government rejects," shall be determined as follows:

(a) *Maximum prices for sales, other than sales at retail, of certain government reject raincoats.* The maximum price for sales, other than sales at retail, of the following government reject raincoats to the following persons shall be as follows:

MAXIMUM NET PRICES

Item	Sales to persons, other than retailers	Sales to retailers
Enlisted men's raincoats.....	\$4.00	\$4.80
WAC (or WAAC) member's raincoats.....	5.00	6.00

(b) [Revoked]

[Paragraph (b) revoked by Am. 13, 8 F.R. 16689, effective 12-15-43]

[§ 1315.1558b added by Am. 10, 8 F.R. 9997, effective 7-23-43]

§ 1315.1559 *Terms and conditions of sale.* Except for such changes as result from the application of pricing methods contained in §§ 1315.1556, 1315.1557, 1315.1557b, 1315.1557c, or other sections of this regulation, establishing maximum prices or methods for determining

maximum prices for the commodity being priced, no seller shall change the allowance, discounts, or other price differentials which he had in effect during March 1942 for the same or similar types of commodities unless such change results in a lower net price, and no seller shall require any purchaser, and no purchaser shall be permitted to pay a larger portion of transportation costs incurred in the delivery of rubber commodities than the seller required purchasers of the same class to pay on deliveries of the same or similar types of commodities during March 1942.

[§ 1315.1559 amended by Am. 3, 8 F.R. 1584, effective 2-8-43; Am. 8, 8 F.R. 6043, effective 5-13-43; Am. 17, 9 F.R. 9650, effective 8-14-44 and Am. 27, effective 4-24-46]

§ 1315.1559a *Notification of maximum wholesale and retail prices of certain sanitary treated items*—(a) *Applicability of this section.* This section requires notification by manufacturers of the maximum wholesale and retail prices of baby bibs, baby pants, crib sheets, diaper and utility bags, diaper covers, lap pads, mattress covers and coveralls, nursery seat rings, pillow cases and place mats. It also requires notification by wholesalers of the maximum retail prices of the same commodities.

(b) *Notification by manufacturers*—(a) (1) *Notification.* Before or at the time of the first delivery of any of the commodities listed in the preceding paragraph (paragraph (a)) to a wholesaler or a retailer after May 12, 1943, the manufacturer shall notify the purchaser of the maximum retail price of that commodity. This notification shall include the brand and the description of the commodity and the maximum retail price applicable thereto. If the commodity is sold to a wholesaler the notification shall also include the maximum wholesale price of the commodity. The manufacturer may not notify any person of the maximum wholesale or retail price of any commodity which he must price under §§ 1315.1556 or 1315.1557 of this regulation, until either the price reported under those sections by the manufacturer has been approved in writing by the Office of Price Administration, or fifteen days have elapsed after the mailing of the report.

(2) *Method by which the manufacturer calculates the maximum wholesale price for notification to wholesalers.* The manufacturer shall calculate the maximum wholesale price by multiplying his maximum price for the sale of the commodity to the wholesaler by the following percentages:

For sales East of the Rocky Mountains 125 percent.

For sales West of the Rocky Mountains where the amount of the freight is included in the manufacturer's price 125 percent.

For sales West of the Rocky Mountains where the amount of the freight is not included in the manufacturer's price 130 percent.

(3) *Method by which the manufacturer calculates the maximum retail price for notification to purchasers.* The

manufacturer shall calculate the maximum retail price as follows: The manufacturer shall first calculate the base price. If the purchaser is a wholesaler, the base price is the maximum wholesale price the manufacturer has calculated in accordance with the provisions of the preceding subparagraph (subparagraph (2)). If the purchaser is a retailer, the base price is the manufacturer's maximum price to that class of retailers to whom the manufacturer sold the largest volume of the commodity during the calendar year 1942. If the manufacturer did not sell the commodity to retailers during the calendar year 1942, the base price where the commodity is sold directly to a retailer is the manufacturer's maximum price to that class of retailers to whom he expects to sell the largest volume of the commodity. The manufacturer shall then calculate the maximum retail price as follows:

(i) Except for sales by mail order houses, the maximum retail price of those commodities whose base price is between \$1.25 and \$7.20 per dozen shall be determined as follows:

If the base price per dozen is between—	The maximum retail price for each, for all sales east of the Rocky Mountains and for sales west of the Rocky Mountains of items purchased from wholesalers shall be—	The maximum retail price, for each, for sales west of the Rocky Mountains of items purchased direct from manufacturers shall be—
1.25 and 1.60.....	.20	.25
1.61 and 1.95.....	.25	.29
1.96 and 2.30.....	.29	.35
2.31 and 2.65.....	.35	.39
2.66 and 3.00.....	.39	.45
3.01 and 3.40.....	.45	.50
3.41 and 3.80.....	.50	.55
3.81 and 4.10.....	.55	.59
4.11 and 4.45.....	.59	.65
4.46 and 4.80.....	.65	.69
4.81 and 5.20.....	.69	.75
5.21 and 5.55.....	.75	.79
5.56 and 5.90.....	.79	.85
5.91 and 6.25.....	.85	.89
6.26 and 6.85.....	.89	1.00
6.86 and 7.20.....	1.00	1.05

(ii) The maximum retail price for all sales by mail order houses by mail and all other retail sales of commodities whose base price is below \$1.25 per dozen and above \$7.20 per dozen shall be determined by multiplying the base price by the following percentages:

	Percent
Sales by mail by mail order houses.....	160
Retail sales of items purchased direct from manufacturers:	
Sales east of Rocky Mountains.....	166%
Sales west of Rocky Mountains.....	175
Retail sales of items purchased from wholesalers.....	166%

(c) *Notification by wholesalers.* Before or at the time of the first delivery after May 12, 1943, of any commodity listed in paragraph (a) of this section by a wholesaler to a retailer, the wholesaler shall notify the retailer of the maximum retail price of that commodity. This notification shall include the brand and the description of the commodity and the maximum retail price applicable thereto. The wholesaler will be furnished this maximum retail price by the manufacturer in accordance with the

provisions of paragraph (b) of this section (§ 1315.1559a). If the manufacturer has not notified the wholesaler of the maximum retail price, the wholesaler shall not deliver the commodity until he has obtained the maximum retail price from the manufacturer.

(d) *Authorization of specific maximum wholesale and retail prices.* Where, in the opinion of the Office of Price Administration, a maximum wholesale or retail price computed under paragraphs (b) (2) and (b) (3) is not consistent with those otherwise established under the regulation or where, in the opinion of the Administrator, these paragraphs are not appropriate for determining the maximum wholesale or retail price of the commodity, the Office of Price Administration may by order establish maximum prices for sales at wholesale and at retail that are consistent with those otherwise established by the regulation.

[Paragraph (d) added and former (d) redesignated as (e) by Am. 27, effective 4-24-46]

(e) *Records of notifications of maximum prices.* (1) Every manufacturer and wholesaler shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect exact copies of all notifications given to wholesalers and retailers pursuant to the provisions of this section.

(2) Every retailer and wholesaler must preserve all notifications of maximum prices received by him. These notifications shall be kept for inspection by any person during ordinary business hours.

[§ 1315.1559a added by Am. 8, 8 F.R. 6043, effective 5-13-43]

§ 1315.1559b *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold or otherwise transferred after March 31, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

[§ 1315.1559b added by Am. 24, 10 F.R. 13310, effective 10-30-45]

§ 1315.1560 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 220 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, a rubber commodity, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other

charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1560a *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

[§ 1315.1560a added by Am. 10, 8 F.R. 9997, effective 7-23-43. Former § 1315.1560a added by Am. 6, 8 F.R. 3942, effective 4-1-43; revoked by Am. 9, 8 F.R. 7497, effective 6-17-43]

§ 1315.1560b *Application for adjustments—(a) Application by a supplier that is not based upon a proper decrease of other prices—(1) Who may receive an adjustment.* The supplier's maximum price for rubber commodities established by this regulation may be adjusted in the case of an essential supplier of an essential rubber commodity. An "essential rubber commodity" is one which contributes to the effective prosecution of the war. An "essential supplier" is one whose output of rubber commodities cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into or proposes to enter into a war contract (as defined in subparagraph (5)) or a subcontract thereunder, is an essential supplier of rubber commodities.

(2) *When adjustment may be granted—(i) In general.* If the supplier's total sales were \$500,000 or more in the calendar year 1942, the National Office of the Office of Price Administration (and if the supplier's total sales in the calendar year 1942 were less than \$500,000, the Regional Office of the Office of Price Administration located in the same region where the supplier's business is located and such District Offices in that region as may be authorized by order issued by the Regional Office), may adjust the maximum price in the case of an essential supplier of an essential commodity upon the basis of the information submitted by the supplier pursuant to paragraph (b) (4) or other information. It may make that adjustment whenever it finds that the maximum price of a commodity is at such a level that (taking into account the costs thereof, the profits position of the supplier, and the nature

of his business) supply of the commodity is impeded or threatened and that the adjustment would not cause an increase in the cost of living.

(ii) *Factors which may be considered.*

(a) The following factors are relevant to consideration of whether supply of the commodity is impeded or threatened:

(1) Whether, and by what amount, the maximum price is below or above (i) the total unit costs less selling and administrative expenses allocable to the internal management of the business, and (ii) the current total unit costs of the commodity.

(2) Whether, and by what amount, the supplier's current over-all profits, before income and excess profit taxes, are greater or less than his average over-all profits during the normal base period, increased by 7 percent of the additional capital investment contributed entirely by the supplier or its stockholders, since the normal base period. Capital investment will be construed as including accumulated profits.

(3) Whether the proposed price is higher than the price prevailing in the industry.

(4) Whether the supplier's sales of the commodity represent only a very small part of his total sales.

(5) Whether the supplier previously sold the commodity, or a commodity of the same type, at a price which is below its total unit costs.

(b) The following factors are relevant to consideration of whether the adjustment would cause an increase in the cost of living:

(1) Whether the rubber commodity, or a commodity in the supply of which it is used, is of a type sold to civilian consumers other than industrial consumers.

(2) If such is the case, whether the increase in price allowed by adjustment would be absorbed prior to sale to a non-industrial consumer.

(3) Whether, if the applicant did not supply the rubber commodity, his output would be replaced by the same or a substitute commodity at prices equal to or higher than the proposed adjusted maximum price.

(3) *How the supplier proceeds in applying for an adjustment—(i) In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1 and shall be made on Form OPA 696: 4057 set out in Appendix B, incorporated as § 1315.1568 of this regulation. If the supplier's total sales in the calendar year 1942, or in the fiscal year ending in 1942, exceeded \$500,000, the application shall be filed with the Office of Price Administration, Washington, D. C. If the supplier's total sales during that period did not exceed \$500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the supplier's business is located.

(ii) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A supplier who believes that the con-

ditions for an adjustment set forth in this paragraph (a) would exist if the National War Labor Board should grant a pending application for wage or salary increase, may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring approval of the National War Labor Board must also comply with Supplementary Order No. 28, which requires, among other things, that an application for adjustment in such case be filed within 15 days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within 15 days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(4) *Prices for deliveries made pending disposition of the application.* A supplier who has filed an application under this paragraph (a) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the supplier wants to have adjusted. But no payment in excess of that existing maximum price may be received until the application is finally disposed of, and at that time the price received may not exceed the maximum price as determined by the Office of Price Administration.

A supplier who wishes to enter into such an arrangement must specifically state to the buyer the following:

(i) The maximum price for the commodity;

(ii) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration;

(iii) The fact that the specific price quoted by the supplier is subject to the approval of the Office of Price Administration.

(5) *Definitions—(i) Normal base period.* The term "normal base period" means the period 1936-1939. If the applicant believes that the period 1936-1939 is not a normal base period for him he shall state why he believes it is not and shall designate another period which he believes is normal and the reasons therefor. If the Office of Price Administration finds either (a) that the entire industry of which the applicant is a part was operating during the greater part of the period 1936-1939 at an unusually depressed level or (b) that because of unusual conditions prevailing during that period, the applicant's plant was operating at an unusually depressed level in comparison to other plants in the industry, and in addition that some other period prior to January 1, 1941, is a normal base period, such other period may be considered. The mere fact that the rate of supply has increased since 1936-1939 will not be deemed evidence that supply during that period was at an "unusually depressed level." If the supplier was not in business prior to January 1, 1941, he shall state that fact in his application.

(ii) *Over-all profits.* The term "over-all profits" means net profit resulting from the operation of all divisions of the supplier before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes. Where affiliated interests exist, the term "over-all profits" means the consolidated net profit before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes.

(iii) *Subcontract.* The term "subcontract" means any purchase, order, or agreement to perform all or any part of the work, or to make or furnish any commodity, required for the performance of another contract or subcontract.

(iv) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory overhead, administrative, and other expenses, based on actual operating experience, properly allocable to the supply of the commodity, but does not include provisions for income or excess profit taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of factory overhead, administrative and other expenses is based on a representative period of continuous, normal supply.

(v) *War contract.* The term "war contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States, under the terms of the Lend-Lease Act, for the sale of rubber commodities purchased (a) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (b) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (c) for use in the supply or manufacture of any commodity described in (a) or (b).

(b) *Application by a supplier based upon an appropriate decrease of other prices.* (1) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential supplier of an essential rubber commodity. The meaning of these terms is explained in paragraph (a) (1) of this section.

(2) *When adjustment may be granted.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may make an adjustment of the maximum price in any case in which the supplier agrees to make and (simultaneously with any increase in the maximum price that may be authorized under this paragraph (b)) makes a reduction in the selling price of other commodities which will equal or exceed the total dollar amount of the adjustment granted under this paragraph.

(3) *What an application under this paragraph must show.* An application

for price adjustment under this paragraph (b) shall contain information indicating that the supplier is an essential supplier of an essential rubber commodity and that if the proposed adjustment is granted, the gross dollar amount of sales of the commodities affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case where such an adjustment is granted, the Office of Price Administration will require appropriate reports relating to the commodities affected.

(4) *How the supplier proceeds in applying for an adjustment.* An application for adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regulation No. 1. If the supplier's total sales for the calendar year 1942, or for the fiscal year ending in 1942, exceeded \$500,000, the application shall be filed with the Office of Price Administration, Washington, D. C. If the supplier's total sales during that period did not exceed \$500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region that the applicant's business is located.

(c) *Application by a supplier under a combination of both paragraphs (a) and (b).* A supplier who desires to apply for an adjustment under paragraph (b) may, at the time he applies under that paragraph, also apply under paragraph (a), if the facts of his case entitle him to do so. In such case, the office considering his application will give the adjustment available under paragraph (a) before applying paragraph (b).

(d) *Procedural Regulation No. 6 superseded.* No application for adjustment filed under Procedural Regulation No. 6 by a supplier after June 15, 1944, with respect to rubber commodities will be granted.

(e) *Adjustments for sales by other than manufacturers where the manufacturers' maximum prices are adjusted.* Notwithstanding any other provision of this section, the maximum prices for sales of any commodity by classes of sellers other than manufacturers may be adjusted by an order issued under this section which adjusts a manufacturer's or manufacturers' prices for the commodity.

(f) *Delegation of authority.* Any regional administrator or any district director authorized by the appropriate regional administrator may act on reports required to be filed with the regional administrator under § 1315.1560b, and may issue orders under that section establishing maximum prices in accordance with that section.

[§ 1315.1560b added by Am. 15, 9 FR. 6431, effective 6-15-44 and amended by Am. 27, effective 4-24-46]

§ 1315.1560c *Industrywide adjustments for reconversion products.* Spe-

cial pricing provisions applicable to particular products may be established by orders issued under this section when, with respect to the product, the Administrator finds:

(a) That in 1944 its production was approximately one-half or less of its production in its last representative period of peacetime production;

(b) That this reduction in dollar volume resulted from (1) governmental restrictions on the manufacture of products or on the use of materials, facilities, or manpower, or (2) the use of facilities for the production of war goods; or (3) other direct needs of the war effort; and

(c) That because of change in government restrictions or in the needs of the war program, manufacturers of the product generally are able to begin or to increase substantially the production of the product line.

If in the judgment of the Administrator, the purposes of this section will be effectuated, as to a particular product, without any special pricing provisions, an order under this section will not be issued with respect to that product even though the above findings could be made as to it.

Orders under this section, will generally authorize industrywide increases in the established maximum prices of manufacturers in those industries based upon surveys conducted by the Price Administrator, either upon the request of the particular industry or upon his own motion. Those orders will establish adjusted maximum prices or methods of determining such prices by the use of price factor. Where, however, in the judgment of the Price Administrator, the use of an industrywide factor will, by reason of the diversity in the products made by the member firms, the wide variation in cost experience among them, or other reasons be an inequitable and inappropriate means of establishing reconversion prices, he may provide for the calculation and application of individual price increase factors.

Broadly stated the new maximum prices will represent costs experienced during the last period of normal production adjusted for subsequent lawful changes in the level of materials prices and in basic wage rate schedules of factory workers, plus the industry's average peacetime profit margin over cost. Changes in materials prices may be measured by materials cost increase factors, determined by the Administrator, in those cases where such action may be necessary to eliminate temporary or artificial influences. In the case of an industry for which the Administrator has decided that price increase factors should be determined and applied for each firm, the profit element in each increase factor will be the firm's own base period profit margin or one-half the industry's average peacetime margin, whichever is the higher.

Orders issued under this section may also modify or supersede the provisions of Maximum Price Regulation 220 with respect to the establishment of maximum prices if, on the basis of the particular characteristics of the industry involved, the Administrator finds that another method of price determination

will effectuate the purposes of this regulation better than the general pricing provisions of the regulation. In addition, those orders may establish new maximum prices or a method of determining new maximum prices for sales by persons other than manufacturers which will supersede maximum prices fixed by other regulations for such sales and which will be consistent with the standards applied by the Office of Price Administration for the reasonable absorption of necessary cost increases.

Orders issued under this section will not ordinarily reduce higher maximum prices which manufacturers have previously established in accordance with the applicable provisions.

A manufacturer of a product covered by an order issued under this section may not obtain an adjustment of his maximum prices under any adjustment provision other than Supplementary Orders Nos. 118 and 119, unless the adjustment provision itself or the order issued under this section covering his product expressly provides otherwise.

Small volume manufacturers may use as their new maximum prices those which they calculate under Supplementary Order No. 118, and general orders issued pursuant thereto, if the maximum prices so calculated are higher than maximum prices set under orders issued under this section. Any other manufacturer may apply for an individual adjustment under Supplementary Order No. 119, if, after the adjustment authorized for his industry by an order under this section, his maximum price still continues eligible for adjustment in accordance with the provisions of that supplementary order.

Orders issued under this section may require a manufacturer to arrange the production and distribution of his products so that they will be representative of his production and distribution in a specified past period for goods in a particular category. The Administrator may also require authorized price increases to be applied among articles or price lines in a manner consistent with the need, under the stabilization program, to maintain the production of lower-priced articles.

[§ 1315.1560c added by Am. 26, 11 F. R. 3026, effective 3-21-46]

§ 1315.1561 Petitions for amendment. Any person seeking an amendment of any provision of this regulation may petition for an amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1315.1561 amended by Am. 1, 7 F. R. 8936, effective 11-4-42; and Am. 10, 8 F. R. 9997, effective 7-23-43]

[NOTE: Procedural Regulation No. 6 (9 F. R. 10628; 10 F. R. 1382, 9394) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F. R. 6175; 10 F. R. 9394) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

§ 1315.1561a Licensing. The provisions of Licensing Order No. 1¹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1315.1561a added by Am. 8, 8 F. R. 6043, effective 5-13-43; amended by Supplementary Order No. 72, 8 F. R. 13244, effective 10-1-43]

§ 1315.1562 Enforcement. (a) Persons violating any provisions of this Maximum Price Regulation No. 220 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 220 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1315.1563 revoked by Am. 2, 7 F. R. 11111, effective 1-4-43. Former §§ 1315.1564 through 1315.1568 designated §§ 1315.1563 through 1315.1567 by Am. 10, 8 F. R. 9997, effective 7-23-43]

§ 1315.1563 Definitions. (a) When used in this Maximum Price Regulation No. 220, the term:

(1) "Highest price charged during March, 1942", means:

(i) The highest price which the seller charged to a purchaser of the same class for delivery of the commodity during March, 1942.

(ii) If the seller made no such delivery during March, 1942, such seller's highest offering price to a purchaser of the same class for delivery during that month.

(iii) If the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March, 1942, to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(2) "Manufacturer" means any person engaged in the production of a rubber commodity.

(3) "Purchaser of the same class" and "class of purchaser" refer to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

* 8 F. R. 13240.

(4) "Rubber commodity" means any article listed in Appendix A, incorporated herein as § 1315.1567, when made in whole or in part of rubber, the maximum price for which would be established by the General Maximum Price Regulation in the absence of this Maximum Price Regulation No. 220.

(5) "Rubber" means substitute rubber and all forms and types of rubber, including synthetic, reclaimed and balata rubber.

[Subparagraphs (4) and (5) amended by Am. 2, 7 F. R. 11111, effective 1-4-43]

(6) "Standard list item" means an article, the maximum price of which is listed in a schedule or price list of the manufacturer or which is offered for sale by the manufacturer at the same price to any member of a particular class of purchasers.

(7) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(8) "Substitute rubber" means a substance made in whole or in part by a chemical process or from natural gums, resins or oils which in physical properties sufficiently resembles natural or synthetic rubber to replace either of them for particular uses, including uses where only some and not all of the physical characteristics of natural or synthetic rubber are needed, and which serves the same use as natural or synthetic rubber in the particular application in which it is applied.

[Subparagraph (7) amended and paragraph (8) added by Am. 2, 7 F. R. 11111, effective, 1-4-43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1315.1564 Geographical applicability. The provisions of this Maximum Price Regulation No. 220 shall be applicable to the forty-eight states and the District of Columbia, but not to the territories and possessions of the United States.

§ 1315.1565 Effective date. This Maximum Price Regulation No. 220 (§§ 1315.1551 to 1315.1556, inclusive) shall become effective September 19, 1942, for all sales and deliveries except sales and deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such government. For such sales and deliveries it shall become effective October 10, 1942.

[MPR 220 originally issued September 14, 1942]

§ 1315.1566 *Effective dates of amendments.* Effective dates of amendments are shown in notes following the parts affected.]

§ 1315.1567, *Appendix A: Articles covered by the regulation.* The following articles, when made in whole or in part of rubber, shall be covered by this Maximum Price Regulation No. 220:

NOTE: This Maximum Price Regulation No. 220 does not apply to any sale or delivery of the articles listed below for which a maximum price is in effect at the time of such sale or delivery under the provisions of any other price regulation, issued, or which may be issued, by the Office of Price Administration. This Maximum Price Regulation No. 220 applies, instead of the General Maximum Price Regulation, to the articles listed below, when they are made in whole or in part of rubber. However, this Maximum Price Regulation No. 220 does not apply to sales or deliveries of the articles listed below if they have been exempted from the General Maximum Price Regulation by any supplementary regulation thereto. Manufacturers selling articles listed below should, before pricing their products in accordance with this Maximum Price Regulation No. 220 determine:

(a) whether price regulations, other than the General Maximum Price Regulations, have been issued with respect to the articles so listed and (b) whether sales or deliveries of the articles listed have been exempted from the General Maximum Price Regulation by any supplementary regulation thereto.

(a) The following items of apparel when made in whole or in part of rubber or oil coated fabrics: (1) Aprons; (2) Bathing supplies, including bags, belts, capes, coats, shoes and bathing suits; (3) Brassieres; (4) Corsets; (5) Dress shields; (6) Garters and armbands; (7) Girdles and elastic girdle blanks; (8) Make-up capes; (9) Ponchos; (10) Raincoats and rainsuits; (11) Industrial rubberized fabric gloves; (12) Suspenders; (13) Waterproof capes, cloaks, hats, jackets, leggings, overalls and sleeves.

[Paragraph (a) amended by Am. 7, 8 F.R. 5809, effective 5-8-43; Am. 13, effective 12-15-43; Am. 19, 10 F.R. 4599, effective 5-1-45; and Am. 21, 10 F.R. 12084, effective 9-29-45].

(b) The following items when made of sheet rubber or sheeted resin: (1) baby pants, (2) crib sheets, (3) diaper covers, (4) hospital sheeting.

[Paragraph (b) added by Am. 24, 10 F.R. 13310, effective 10-30-45. Former (b) revoked by Am. 11, 8 F.R. 10419, effective 7-29-43]

(c) Cements and adhesives made in whole or in part of rubber, synthetic rubber, or substitute rubber, and pyroxylin base cements and adhesives. Tire and tube repair cements, and cements and adhesives made of vegetable and animal material other than natural rubber, synthetic rubber or substitute rubber such as starch, casein and glue are not covered by the regulation.

[Paragraph (c) amended by Am. 14, 9 F.R. 1116, effective 2-3-44 and Am. 24, 10 F.R. 13310, effective 10-30-45]

(d) The following finished products made of coated fabrics: (1) hospital sheets and blankets, (2) pillow cases, (3) rubber welting, (4) tire covers, (5) win-

ter fronts, (6) tarpaulins, (7) tape containing no natural or synthetic rubber but made in whole or in part of substitute rubber (tape made in whole or in part of natural or synthetic rubber is not priced by this regulation), (8) garment or reinforcing strapping.

[Paragraph (d) amended by Am. 4, 8 F.R. 2667, effective 3-1-43, Am. 13, 8 F.R. 16689, effective 12-15-43; Am. 17, 9 F.R. 9650, effective 8-14-44; and Am. 19, 10 F.R. 4599, effective 5-1-45]

(e) The following latex and latex covered products: (1) Backing of carpets, jute bags, rugs, sacks and wallpaper; (2) Baskets; (3) Buckets; (4) Dippers; (5) Frames; (6) Funnels; (7) Measures; (8) Racks; (9) Screens; (10) Sponge upholstery; (11) Trays.

(f) The following items of stationer's goods: (1) chair cushions, (2) desk angle protector strips, (3) desk tops, (4) pen sacs, (5) rubber bands.

[Paragraph (f) amended by Am. 17, 9 F.R. 9650, effective 8-14-44; and Am. 19, 10 F.R. 4599, effective 5-1-45]

(g) [Revoked]

[Paragraph (g) revoked by Am. 14, 9 F.R. 1116, effective 2-3-44]

(h) The following miscellaneous items. (1) [Revoked]. (2) Balloons for radio and weather observations; (3) Cable wrapping tape; (4) Diving suits; (5) Elastic webbing, braid, and cord; (6) Rubberized curled hair; (7) Sandblast stencils.

[Paragraph (h) amended by Am. 5, 8 F.R. 4130, effective 4-5-43; Am. 13, 8 F.R. 16689, effective 12-15-43; Am. 14, 9 F.R. 1116, effective 2-3-44; Am. 17, 9 F.R. 9650, effective 8-14-44; and Am. 19, 10 F.R. 4599, effective 5-1-45]

(i) The following sanitary treated items when made in whole or in part of rubber or oil coated fabrics: (1) Baby bibs. (2) Baby pants. (3) Crib sheets. (4) Diaper and utility bags. (5) Diaper covers. (6) Mattress covers and coversalls. (7) Nursery hospital sheeting. (8) Nursery seat rings. (9) Lap pads. (10) Pillow cases. (11) Place mats.

[Paragraph (i) added by Am. 4, 8 F.R. 2667, effective 3-1-43; amended by Am. 8, 8 F.R. 6043, effective 5-13-43; and Am. 19, 10 F.R. 4599, effective 5-1-45]

[§ 1315.1567 formerly § 1315.1568 added by Am. 2, 7 F.R. 11111, effective 1-4-43. Re-designated by Am. 10]

§ 1315.1568 *Appendix B: Form for application for adjustment of maximum manufacturers' prices of certain rubber commodities—(a) Form.*

Form OPA 696-4057

APPROVAL OF THIS
ADJUSTMENT APPLICATION
WAIVED BY BUDGET BUREAU

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

Application for adjustment of maximum
prices for rubber commodities under
Maximum Price Regulation No. 220

Company name _____
Address _____
(Street) (City) (State)

The following facts are furnished to the
Office of Price Administration in support of
this application:

SCHEDULE A

1. General description of the company's business.

2. Designate and describe the rubber commodities for which price increase is requested.

3. Present the following information for each product listed in 2 above:

(a) Dollar volume of unfilled orders \$_____

(b) Unit volume of unfilled orders. (Indicate unit used) _____

4. Present evidence that the company is an essential producer of an essential rubber commodity.

(a) For each product designated in Item 2 above, fill in the following if you have entered into, or propose to enter into a war contract or subcontract for the sale of that product.

(1) Identification of contract _____

(2) Name of purchaser _____

(3) Address of purchaser _____

(Street) (City) (State)

(b) Present any other information which demonstrates that the manufacturer is an essential producer of an essential rubber commodity.

NOTE: The terms "essential producer", "essential rubber commodity", "war contract" and "subcontract" are defined in the adjustment provisions under which this report is filed, § 1315.1560b of Maximum Price Regulation No. 220.

5. Are similar products manufactured by competitors in your region? _____
(Yes or No)

If yes, give names and addresses of competitors and their prices for such products, if the prices are readily available.

SCHEDULE B

Important: Where affiliated interests exist, consolidated statements as well as statements for the subsidiary should be submitted.

Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses, the total amount of officers' salaries and the number of officers.

1. Financial data 1936-1939 and 1942.

Either submit balance sheets and profit and loss statements for the years 1936-1939, inclusive, and 1942, or fill out Office of Price Administration Financial Report Form A for the same years. The filing of these data is optional, if the same information is available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.

2. Financial data, 1943 to date.

Submit a balance sheet for 1943 and profit and loss statements for 1943 and for the most recent accounting periods in 1944. If you have submitted this information on Office of Price Administration Financial Report Forms A and B or have furnished it on a previous application for adjustment of a maximum price, you need not submit it again.

3. Are the salaries and wages of all your employees in compliance with the maximum established by the Office of Economic Stabilization? _____

(Yes or No)

If no, state exceptions.

SCHEDULE C

Unit price and unit cost information
Designation of the rubber commodity: _____

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. Price data

(a) Net realized price:

	Ceiling price 194...	Current price	Requested price
1. (List) (gross) price.....			
2. Less: Dealer's commissions.....			
3. Less: Trade discounts.....			
4. Net realized price.....			
5. Net realized price at maximum discounts and/or commissions.....			

(b) Total sales for the above designated item only:

	1942	1943	Months ending 1944
Total unit volume of sales.....			
Total dollar volume of sales (net).....			

(c) Indicate whether the current maximum price is a list or established price, ... or a formula price. (Check one).
Price used since 194... (Month)

(d) State on a separate sheet the reasons for the need of the requested price increase.

2. Unit cost data:

	Ceiling date costs 194...	Current date costs 1944
(a) Direct material.....		
(b) Direct labor.....		
(c) Factory overhead.....		
(d) Selling expense (do not include discounts and commissions deducted under price data above).....		
(e) Administrative expense.....		
(f) Freight out, if any.....		
(g) Installation expense, if any.....		
(h) Other expense, specify.....		
(i) Total cost per unit.....		

(j) What method is used in allocating factory overhead?

1. Standard (); Actual (); Other (); (Check one.)

2. Direct labor cost (); Direct labor hours (); Machine hours (); Other (). (Explain separately if "other" or combination.)

By (Applicant)

(Title)

AFFIDAVIT

State of _____ ss.
County of _____

The undersigned _____ being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and know to his own knowledge that the facts contained therein are true and correct.

(Signature)

Subscribed and sworn to before me this _____ day of _____ 194... Officer Administering Oath.

(b) Instructions for completing form.

INSTRUCTIONS FOR THE USE OF ADJUSTMENT APPLICATION FORM FOR RUBBER COMMODITIES

Schedule C entitled "Unit Price and Cost Information" is subject to the following explanation:

1. Price data:

(a) 1. (List) (gross) price:

Please indicate whether the price is a list price or a gross price by crossing out the term that does not apply.

(a) 2. Dealer's commissions:

Where all dealers receive the same commission, use the full commission rate even if some sales are not subject to any com-

mission. If several different rates affect the product covered by the application, use the rate that applies to the largest amount of sales.

(a) 3. Trade discounts.

Deduct trade discounts prevailing in your company for the product covered by the application.

(b) Use a sufficient number of months prior to the date of the application to give an adequate understanding of the situation. Name the period in the allotted space and fill in commission rates or discounts.

2. Unit cost data:

In presenting unit cost data be sure to include only actual cost.

Material cost must represent actual cost. State separately any charges added to costs of materials.

Where standard costs are used, adjust costs for over- and under-absorption during the period to which the costs apply.

The cost data for the ceiling date may be recomputed if the product covered by the application was not manufactured on or about that date. In the recomputation apply the wage rates prevailing in your plant on the ceiling date and material cost of the same date.

Under items (f), and (h) include only costs borne by the manufacturer and not billed separately.

[§ 1315.1568 added by Am. 15, 9 F.R. 6431, effective 6-15-44]

NOTE: All reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6618; Filed, Apr. 19, 1946; 11:47 a.m.]

PART 1382—HARDWOOD LUMBER

[MPR 368; Amdt. 9]

NORTHEASTERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 368 is amended as follows:

In section 23, price tables numbered 1 to 16, inclusive, and price tables numbered 18, 19 and 24 are amended to read as follows respectively:

TABLE 1—TOUGH WHITE ASH

Thickness (inches)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$90.00	\$71.50	\$55.50	\$40.50	\$25.00
1 1/4.....	98.00	76.00	57.50	42.50	26.50
1 1/2.....	103.50	84.00	64.50	45.50	26.50
2.....	109.00	90.00	69.00	49.50	29.00
2 1/4.....	121.00	101.00	86.50	55.00	
3.....	132.00	113.00	98.00	61.00	
4.....	144.00	124.00	109.00	66.00	

TABLE 2—BASSWOOD

Thickness (inches)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3 Common
1 1/4.....	\$63.50	\$56.50	\$41.50	\$28.00	
1 1/2.....	73.50	65.50	47.50	32.00	
2.....	83.00	74.50	54.50	35.00	
2 1/4.....	98.00	87.50	62.50	41.50	\$24.00
3.....	103.50	93.00	68.50	45.50	25.00
3 1/2.....	109.00	98.00	69.00	47.50	25.00
4.....	115.00	101.00	74.50	48.50	26.50
4 1/2.....	121.00	107.00	83.00		
5.....	132.00	116.00	88.50		
6.....	149.50	132.00	100.00		

8 F.R. 4968, 8541, 10660, 15672, 16791, 17414;
9 F.R. 1534, 4184.

TABLE 3—BEECH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
1 1/4.....	\$56.50	\$38.00	\$24.00	\$17.50	
1 1/2.....	64.50	43.50	29.00	21.00	
2.....	73.50	49.50	32.00	23.00	
2 1/4.....	86.50	58.50	37.50	28.00	\$22.00
3.....	90.00	64.50	38.50	30.00	24.00
3 1/2.....	92.00	66.50	39.50	30.00	24.00
4.....	103.50	78.50	42.50	34.00	28.00

TABLE 4—BIRCH

Thickness (inches)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
1 1/4.....	\$92.00	\$80.50				
1 1/2.....	105.00	91.00				
2.....	123.00	107.00	\$72.50	\$47.50	\$35.00	\$28.00
2 1/4.....	129.00	112.00	78.50	49.50	38.50	30.00
3.....	132.00	115.00	83.00	55.00	40.50	31.00
3 1/2.....	138.00	124.00	88.50	61.00	41.50	32.00
4.....	144.00	130.00	100.00	66.00		
4 1/2.....	155.50	140.50	113.00	71.50		
5.....	166.50	154.50	130.00	77.50		

TABLE 5—CHERRY

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$121.00	\$80.50	\$49.50	\$25.00
1 1/4.....	126.50	86.50	53.00	28.00
1 1/2.....	132.00	92.00	55.00	31.00
2.....	144.00	98.00	66.00	36.50
2 1/4.....	155.50	103.50		
3.....	161.50	109.00		

TABLE 6—CHESTNUT—WHAD

Thickness (inches)	FAS	No. 1 Common and Better	No. 1 Common	Sound wormy
1 1/4.....	\$58.50	\$59.50		
1 1/2.....	69.00	67.50		
2.....	78.50	74.50		
2 1/4.....	138.00	86.50	\$33.00	\$22.00
3.....	144.00	92.00	33.00	23.00
3 1/2.....	144.00	92.00	33.00	23.00
4.....	149.50	98.00	33.00	24.00
4 1/2.....			33.00	
5.....			33.00	

TABLE 7—CHESTNUT—WHND

Thickness (inches)	FAS	No. 1 Common and Better	No. 1 Common	Sound wormy
1 1/4.....	\$43.50	\$36.50	\$34.50	\$29.00
1 1/2.....	49.50	41.50	39.00	33.00
2.....	55.50	46.00	43.50	37.50
2 1/4.....	66.50	56.50	51.50	44.50
3.....	69.00	60.50	56.50	48.50
3 1/2.....	72.50	62.50	57.50	49.50
4.....	78.50	67.50	63.50	55.00
4 1/2.....				58.00
5.....				64.00

TABLE 8—SOFT ELM

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$69.00	\$46.00	\$35.00	\$21.00
1 1/4.....	74.50	51.50	39.50	22.00
1 1/2.....	80.50	56.50	39.50	22.00
2.....	84.00	59.50	41.50	24.00
2 1/4.....	90.00	64.50	45.50	29.00
3.....	98.00	70.50	48.50	31.00

TABLE 9—HICKORY

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common	Log run
1	\$86.50	\$46.00	\$26.50	\$22.00	\$43.00
1 1/4	98.00	48.50	30.00	23.00	45.50
1 1/2	98.00	51.50	36.50	23.00	49.00
2	109.00	57.50	36.50	24.00	54.50

TABLE 10—HARD MAPLE

Thickness (inches)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
1 1/2	\$74.50	\$63.50	\$46.00	\$28.00		
3/4	86.50	72.50	54.50	32.00		
1	98.00	81.50	60.50	35.00		
1 1/4	115.00	97.00	71.50	41.50	\$29.00	\$25.00
1 1/2	121.00	101.00	77.00	45.50	34.00	28.00
2	126.50	107.00	83.00	47.50	34.00	29.00
2 1/2	132.00	112.00	88.50	53.00	38.50	30.00
3	149.50	126.50	106.00	58.00		
4	161.50	145.00	117.00	64.00		
4 1/2	184.00	164.50	140.50	70.50		

TABLE 11—SOFT MAPLE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1 1/2	\$63.50	\$41.50	\$24.00	
3/4	72.50	47.50	29.00	
1	81.50	54.50	32.00	
1 1/4	97.00	63.50	37.50	\$22.00
1 1/2	102.00	69.00	41.50	24.00
2	105.00	74.50	44.50	24.00
2 1/2	110.00	80.50	49.50	28.00
3	126.50	92.00		
4	138.00	103.50		
4 1/2	158.50	121.00		

TABLE 12—OAK

Thickness (inches)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
1	\$90.00	\$73.50	\$59.50	\$43.00	\$31.00	\$20.00
1 1/4	101.00	84.00	67.50	46.50	32.00	21.00
1 1/2	106.00	87.50	71.50	49.50	32.00	21.00
2	118.50	100.00	79.50	54.00	33.00	22.00
2 1/2	141.50	113.00	90.00			

TABLE 13—YELLOW POPLAR—PLAIN

Thickness (inches)	FAS	Saps	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
1 1/2	\$63.50	\$50.50	\$41.50	\$29.00	\$23.00	
3/4	72.50	58.50	47.50	33.00	28.00	
1	81.50	66.50	54.50	37.50	31.00	
1 1/4	95.50	78.50	63.50	44.50	35.00	\$22.00
1 1/2	102.00	83.00	67.50	48.50	37.50	23.00
2	106.00	84.00	70.50	49.50	38.50	23.00
2 1/2	120.00	92.00	74.50	53.00	39.50	24.00
3	141.50	109.00	88.50	57.00		
4	155.50	123.00	100.00	62.00		
4 1/2	172.50	140.50	117.00			

TABLE 14—MIXED HARDWOODS

Dunnage or No. 4 Common. Lumber of any hardwood species of standard widths and lengths but poorer in quality than No. 3B Common... \$20.50

TABLE 15—1" HARDWOOD TIE SIDES

Species	FAS	No. 1 Common	No. 2 Common	No. 3A Common	No. 3B Common
Birch	\$94.00	\$59.50	\$40.50	\$28.00	\$23.00
Maple	97.00	60.50	35.00	22.00	18.50
Oak	67.50	49.50	36.50	35.00	17.50
Beech	69.00	49.50	32.00	23.00	20.00

NOTES ON TIE SIDES

For 1 1/4" and thicker items in each species, add to the above prices the same amount by which the prices for these thicknesses, in standard lumber grades, exceed the prices for 1" stock in the same standard grades.

TABLE 16—HARDWOOD HEARTS

Size (inches)	Length (feet)	No. 3 Common	Crossing plank
2 x 4	6 to 16	\$26.50	\$32.00
2 x 5	6 to 16	28.00	32.00
2 x 6	6 to 16	26.50	32.00
2 x 8	6 to 16	26.50	32.00
2 x 5 and wider	6 to 16	26.50	32.00
3 x 3	6 to 16	28.00	31.00
3 x 4	6 to 16	26.50	31.00
3 x 6	6 to 16	26.50	31.00
3 x 8	6 to 16	29.00	33.00
3 x 10	6 to 16	33.00	38.50
3 x 12	6 to 16	39.50	49.50
4 x 4	6 to 16	28.00	31.00
4 x 6	6 to 16	28.00	32.00
4 x 8	6 to 16	33.00	37.50
4 x 6	6 to 16	28.00	32.00
6 x 8	6 to 16	33.00	37.50
8 x 8	6 to 16	38.50	48.50

NOTES ON HARDWOOD HEARTS

For all one length, 8' or longer, add \$2.00.
For all 16' to 18', add \$0.50.
For all 12' to 16', add \$1.00.
For all 14' to 16', add \$1.50.

TABLE 18—GRAIN AND COAL DOOR BOARDS

	6'	7'
Grain door boards	\$18.50	\$18.50
Coal door boards	16.50	16.50

TABLE 19—1" ROUND EDGE HARDWOODS

Species	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common	Mill Run	Log run
Ash	\$76.00	\$49.50	\$35.00	\$23.00	\$35.00	\$43.00
Basswood	84.00	57.50	36.50	22.00	37.50	49.00
Beech	72.50	50.50	32.00	20.00	33.00	42.00
Birch	109.00	66.50	41.50	25.00	44.00	59.00
Soft elm	55.50	38.00	30.00	18.50	27.00	34.00
Hard maple	101.00	65.50	36.50	23.00	41.00	54.50
Soft maple	83.00	55.50	32.00	20.00	34.00	45.50
Oak	76.00	54.50	37.50	17.50	34.00	46.50

NOTES ON 1" ROUND EDGE HARDWOODS

These maximum prices for "log run" and "mill run" shall be applicable only in case the seller guarantees to the buyer that the shipment shall meet the following requirements:

Log run: Not more than 45% No. 2 Common and not less than 15% FAS.

Mill run: Not more than 40% No. 3 Common, not more than 25% No. 2 Common, and not less than 10% FAS.

The maximum price of round-edge mixed hardwoods sold on a "log run" or "mill run" basis shall be the "log run" or "mill run" price of the lowest-priced species included.

For items thicker than 1" in each species, add to the above prices the same amounts by which the prices for those thicknesses, in square-edge lumber grades, exceed the prices for 1" stock in the same square-edge lumber grades.

Where the item is of a thickness for which no prices are listed in the square edge lumber tables for the same species, for example 2 1/4 inches or 2 3/4 inches, the amount of addition shall be proportioned, according to the thickness of the item, between the amount of addition for the next lower thickness and the amount of addition for the next greater thickness over the one-inch price in the same square edge lumber species and grade.

Example: FAS Hard Maple 2 1/4 inch thick. Maximum price for 1" FAS Hard Maple (square edge)..... \$115.00

Maximum price for 2 1/2" FAS Hard Maple (square edge)..... 149.50

Maximum price for 3" FAS Hard Maple (square edge)..... 161.50

Addition for 2 1/4" stock..... 34.50

Addition for 3" stock..... 46.50

Proportionate addition for 2 3/4" stock..... 40.50

TABLE 24—STANDARD SPECIAL GRADES, SPECIFIED WIDTHS, AND SPECIFIED LENGTHS
(In specified hardwood species)

Species	Grade or designation	Thickness (inches)	Widths (inches)	Lengths (feet)	Maximum price for 1,000 feet BM	Maximum additions to maximum price established in section 23 to 25 for lumber in corresponding standard grade and thickness
Basswood	No. 2 common and better	1	Regular	4 and 6	\$44.00	
	No. 2 common	1	3½ to 5½	Regular	39.50	
	All	1	Regular	10 and 12		\$5.00
	All	1½ and thicker	Regular	10 and 12		6.00
	No. 1 common and better	All	7 and wider	Regular		7.00
	No. 1 common and better		10 and wider	Regular		15.00
	No. 1 common and better		12 and wider	Regular		30.00
	No. 1 common and No. 2 common	1		8 and longer (long cutting)		4.00
	Venetian blind stock	1 and 1¼				5.00
	FAS key stock	1			121.00	
	No. 1 common and selects key stock	1			103.50	
	FAS key stock	1¼			128.50	
	No. 1 common and selects key stock	1¼			108.00	
	1 and 2 face clear	1	4	6 to 16	87.50	
	1 and 2 face clear	1	5	6 to 16	95.50	
Birch	Selects and better	1 and 1¼	45 percent 8 and wider (10 percent to 15 percent 10 and wider)	45 percent 14 and 16	For each 10 percent of 8" and wider in excess of 45 percent.	2.50
	Selects and better	1 and 1¼	45 percent 8 and wider (10 percent to 15 percent 10 and wider)	45 percent 14 and 16	For each 10 percent of 14" and 16" in excess of 45 percent.	2.00
	Straight-grained, free from cross-grained or curly stock					20.00
	Knotty	1	4 to 8	8 to 16	\$92.00	
	No. 1 common and better	1	4 and wider	4 and 6	72.50	
	No. 2 common and better	1	4 and wider	4 and 6	53.00	
	No. 2 common	1	4 and wider	4 and 6	47.50	
	No. 2 common and better	1¼	4 and wider	4 and 6	59.00	
	1 and 2 face clear	1	4	6 to 16	99.00	
	1 and 2 face clear	1	5	6 to 16	103.50	
	2 face clear	1	4	6 to 16	109.00	
	2 face clear	1	5	6 to 16	115.00	
	No. 1 common	1	4	Any	72.50	
	No. 2 common	1	4	Any	47.50	
	No. 3 common	1	4	Any	28.00	
Hard Maple	No. 1 common	1	6	Any	73.50	
	No. 2 common	1	6	Any	49.50	
	No. 3 common	1	6	Any	29.00	
	Selected red birch					20.00
	1 and 2 face clear	1	4	6 to 16	114.00	
	1 and 2 face clear	1	5	6 to 16	121.00	
	1 and 2 face clear	1¼	4	6 to 16	120.00	
	No. 1 common and better—Curly	1 and thicker	Regular	Regular	195.50	
	FAS birdseye	1 and thicker	Regular	Regular		25.00
	No. 1 common and better heel stock	1½ to 2½	Regular	Regular		10.00
	No. 1 common flooring stock	1	4 and wider	4 and longer	59.50	
	No. 2 common flooring stock	1	4 and wider	4 and longer	38.50	
	No. 3A common flooring stock	1	4 and wider	4 and longer	28.00	
	No. 1 common flooring stock	1¼	4 and wider	4 and longer	63.50	
	No. 2 common flooring stock	1¼	4 and wider	4 and longer	40.50	
	No. 3A common flooring stock	1¼	4 and wider	4 and longer	33.00	
	No. 1 white					20.00
	No. 1 and No. 2 white					15.00
	No. 2 white					10.00
	Sap 1 face					7.00
	Straight grain (except in conjunction with No. 1 white; No. 2 white or No. 1 and No. 2 white)					20.00
	Straight grain (in conjunction with No. 1 white; No. 2 white or No. 1 and No. 2 white)					10.00

This amendment shall become effective April 24, 1946.

Issued this 19th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6619; Filed, Apr. 19, 1946;
11:49 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[Docket No. AO 71-A-10-RO-1]

NEW YORK METROPOLITAN MILK MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement, as amended, and to the order, as amended,

regulating the handling of milk in the New York metropolitan milk marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Cum. Supp. 900.1 et seq., 10 F.R. 11791), notice is hereby given of a hearing to be held at the Utica Hotel, Utica, New York, beginning at 10:00 a. m., e. s. t., May 14, 1946.

Such hearing is to be held for the purpose of receiving further evidence with respect to certain matters, hereinafter designated, relating to proposed amendments to the said marketing agreement and order which were considered at a hearing held at Brooklyn, New York, on January 17 and 18, 1946, at Watertown, New York, on January 21, 1946, and at Syracuse, New York, on January 22-25, 1946, which hearing is hereby reopened to that extent, and for the further purpose of receiving evidence with respect to the additional proposed amendments

to the said marketing agreement and order hereinafter set forth.

These proposed amendments have not received the approval of the Secretary of Agriculture.

The matters as to which the prior hearing is reopened are as follows:

1. Amend § 927.4 (a) (5) (i) to read:

(i) Milk, cream, plain condensed milk, or skim milk received from pool plants or from producers shall be assigned as far as possible to Class I-A, Class II-A, Class II-B, or Class V-A, unless such classification is based on some product leaving or on hand at the plant in some form other than milk, cream, plain condensed milk, frozen desserts or homogenized mixtures, skim milk, or other than cultured or flavored milk drinks shipped to or distributed in the marketing area.

2. Amend § 927.5 (a) (1) by (1) extension of the table therein to provide a further increase of 20 cents per hun-

dredweight in the Class I-A price for each interval of increase of 5 cents in the butter-powder value beyond the upper limit now provided, (2) reducing the prices set forth in the table therein for the April through June period 15 cents per hundredweight, and (3) increasing the prices set forth in the table therein for the July through March period 5 cents per hundredweight.

3. Amend § 927.5 (a) by deleting subparagraph (2) thereof and by renumbering succeeding subparagraphs accordingly.

4. Amend § 927.5 (a) (5) by extension of the table therein to provide a further increase of 15 cents per hundredweight in the Class II-A price for each interval of increase of 3.5 cents in the butter price beyond the upper limit now provided.

5. Amend § 927.5 (a) (6) to read:

(6) For Class II-B milk the price during March through July shall be 25 cents less than the Class II-A price and for each other month shall be 20 cents less than the Class II-A price: *Provided*, That in no event shall the Class II-B price be lower than the Class II-C price or lower than the Class II-D price minus 5.5 cents.

6. Amend § 927.5 (a) (8) by changing the proviso therein: "*Provided*, That in no event shall the Class II-D price be lower than an amount computed by the market administrator as follows: From the average of the highest prices reported daily during such month by the United States Department of Agriculture for 92-score butter at wholesale in the New York market, deduct 4 cents, add 20 percent, multiply by 3.5, and add 10 cents."

7. Amend § 927.5 (a) (9) by changing the proviso therein to read: "*Provided*, That in no event shall the Class II-E price be lower than an amount computed by the market administrator as follows: From the average of the highest prices reported daily during such month by the United States Department of Agriculture for 92-score butter at wholesale in the New York market, deduct 4 cents, add 20 percent, multiply by 3.5, and add 10 cents."

8. Amend § 927.5 (a) (11) by changing that portion preceding the proviso to read:

(11) For Class III milk the price during each month shall be the average, computed by the market administrator, of prices, as reported to the United States Department of Agriculture, paid during such month to farmers for 3.5 percent milk at evaporated milk plants at locations listed in this subparagraph: *Provided*, That the Class III price during the months of January, February, July, August, and September shall be such average plus 8 cents, and during the months of October, November and December shall be such average plus 15 cents.

9. Amend § 927.5 (a) (12) by adding the following proviso: "*Provided*, That in no event shall the Class IV-A price during the months of October through February be less than the Class II-E price."

10. Amend § 927.5 (a) (13) by adding the following proviso: "*Provided further*, That in no event shall the Class IV-B price during the months of October through February be less than the Class III price."

11. Amend § 927.5 (b) by changing to "9.0" the factor of "9.45" as set forth in provision for determining the Class IV-B butterfat differential, and by adding a provision establishing the Class III butterfat differential as an amount equal to the Class III price minus 91.25 percent of the Class V-B price, divided by 35.

12. Amend § 927.8 (f) by changing the word "October" as contained therein to "July".

Additional proposals are as follows:

13. Amend § 927.2 (c) by adding the following provision:

(4) To recommend to the Secretary amendments to this order.

14. Amend § 927.2 (d) (5) by adding "and § 927.9" to the end thereof.

15. Amend § 927.2 (e) to read as follows:

(e) *Announcement of prices.* The market administrator shall compute and publicly announce prices as follows:

(1) Not later than the 25th day of each month:

(i) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month, of the highest prices reported daily by the United States Department of Agriculture for 92-score butter at wholesale in the New York market.

(ii) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month, of the prices (using the midpoint of any range as one quotation) reported daily in the "Producers' Price Current" for hot roller process dried skim milk or nonfat dry milk solids "other brands, human consumption, carlots, bags or barrels."

(iii) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month, of the prices (using the midpoint of any range as one quotation) reported daily in the "Producers' Price Current" for hot roller process dried skim milk or nonfat dry milk solids "other brands, animal feed, carlots, bags, or barrels."

(iv) The simple average of the averages computed pursuant to (ii) and (iii) of this paragraph.

(v) The preliminary Class I-A, Class II-A and Class V-A prices for the following month pursuant to § 927.5 (a).

(2) Not later than the 5th day of each month:

(i) The minimum class prices pursuant to § 927.5 (a) for the preceding month.

(ii) The butterfat differentials, pursuant to § 927.5 (b) and § 927.8 (c), for the preceding month.

(iii) The average, for the preceding month as reported by the United States Department of Agriculture, of all weekly market quotations (using the midpoint of any weekly range as one quotation) of prices for a 40-quart can of 40 percent sweet cream approved for Pennsylvania.

(iv) The average, for the preceding month as reported by the United States Department of Agriculture, of all weekly market quotations (using the midpoint of any weekly range as one quotation) of prices for a 40-quart can of 40 percent sweet cream approved for Pennsylvania, Newark and Lower Merion Township.

(v) The simple average of the averages computed pursuant to (iii) and (iv) of this paragraph.

(vi) The weighted average price, for the preceding month as reported by the United States Department of Agriculture, per 40-quart can of 40 percent bottling quality cream in the Boston market.

(vii) The average, for the preceding month as reported to the United States Department of Agriculture, of the prices paid to dairy farmers for 3.5 percent milk at the evaporated milk plants at places set forth in § 927.5 (a) (11).

(viii) The average of the highest prices reported daily during the preceding month by the United States Department of Agriculture for 92-score butter at wholesale in the New York market.

(ix) The average of the weekly price quotations during the preceding month for cheddars or twins at the Wisconsin Cheese Exchange as set forth in § 927.5 (a) (13).

(x) The average, for the preceding month, of the prices (using the midpoint of any range as one quotation) reported daily in the "Producers' Price Current" for hot roller process dried skim milk or nonfat dry milk solids "other brands, human consumption, carlots, bags or barrels."

(xi) The average, for the preceding month, of the prices (using the midpoint of any range as one quotation) reported daily in the "Producers' Price Current" for hot roller process dried skim milk or nonfat dry milk solids "other brands, animal feed, carlots, bags or barrels."

(xii) The simple average of the averages computed pursuant to (x) and (xi) of this paragraph.

16. Amend § 927.3 (a) to provide that the market administrator can suspend a plant only on the basis of the monthly report filed for such plant, and provided that the market administrator can suspend a plant only upon the same grounds that the Secretary can cancel a plant's designation as a pool plant.

17. Amend § 927.3 (a) (3) (i) to read:

(i) Be willing to ship in the form of milk to the marketing area in Class I-A and in Class I-C to the area and under the restrictions provided in subparagraph (4) (iv) and (iv) (a) of this paragraph, milk received at the plant from dairy farmers.

18. Amend § 927.3 (a) (4) (iv) to read:

(iv) Suspension for failure to meet the requirements of (3) (i) of this paragraph can be made effective as of a date in any month, or during a month for which the Secretary or the Market Administrator has declared an emergency to exist in the supplying of milk to the Marketing Area. Such suspension, in the absence of a declaration by the Secretary or Market Administrator of an emergency, shall be made only

after the issuance of a notice by the Market Administrator to all handlers operating reserve pool plants, that pool plant designations are subject to suspension for failure to meet the requirements of (3) (i) of this paragraph.

19. Amend § 927.3 (a) (4) (iv) (a) to read:

(a) No pool plant shall be cancelled for failure to meet the requirements of (3) (i) of this paragraph, if the handler operating the plant, during the month in which the suspension by the Market Administrator was made effective, utilized in Class IA, or in Class IC ultimately distributed in the special cream area, or in Fairfield County, Connecticut, or in Pennsylvania outside the Counties of Allegheny, Beaver, Fayette, Greene, Washington and Westmoreland, 100% of the total milk be received from producers at all pool plants: *Provided*, That the amount of milk utilized by the handler in Class IC, shall in no one month be greater than the amount utilized by the said handler in Class IC in the previous June, but in no event shall less than 60% of the milk received by the handler from producers be utilized in Class IA. The percentage requirement for the utilization of milk in the aforesaid classes for any month for which the Secretary or Market Administrator has found that an emergency exists in the supplying of fluid milk to the Marketing Area shall be established by the Market Administrator.

20. Amend § 927.3 (a) (4) (iv) (a) to provide that no pool plant designation shall be cancelled for failure to meet the requirements of (3) (i) of this paragraph if the handler operating the plant during the month in which the suspension by the market administrator was made effective utilized in the marketing area the butterfat in milk received from producers to at least 75 percent of such milk receipts.

21. Amend § 927.3 (a) (4) (iv) (a) by inserting after the words "storage cream" as contained in the parenthesis therein the following: "unless the handler storing such cream during the months of August through December, inclusive, withdraws during each such month more of such cream from storage than was placed into storage during the same month."

22. Amend § 927.3 (a) (4) (iv) (a) to provide for adding Class I-B as one of the classes in which milk may be utilized in meeting the requirements of this paragraph.

23. Amend § 927.3 (a) (4) (iv) (c) to read:

(c) Cancellations of designations for failure to meet the requirements of (3) (i) of this paragraph shall be limited to those plants necessary to result in a utilization in Classes IA and IC (except that omitted in the computation set forth in (4) (iv) (a) of this paragraph), of milk received at the remaining pool plants operated by the handler, or reported by the cooperative, as the case may be, equal to 100%, or such other percentage as the Secretary or the Market Administrator has established in declaring an emergency.

24. Add a new provision as follows:

At any time during a "declaration of an emergency" by the Secretary or Market Administrator or upon the issuance of a notice by the Market Administrator to all handlers operating reserve pool plants, that pool plant designations are subject to suspension for failure to meet the requirements of § 927.3 (a) (3) (i) of the orders, the Market Administrator may appoint an Allocation Committee which shall have the power to direct shipments of Class IA milk through an "Allocation Pool", from sources not being utilized in Class IA.

Handlers who do not operate or control country receiving stations, or who do not receive from such country receiving stations as they do operate or control sufficient quantities of milk to supply their customers with as much average daily Class IA sales as were their average daily sales of such milk in the previous month of April, may file with such Allocation Committee, requests for an amount of milk to make up such deficiency and shall specify their weekly requirements commencing not less than 5 days after making such request. The "Allocation Committee" shall then endeavor to obtain from sources not being utilized in Class IA, supplies of milk to meet such requirements.

Supplies of milk handled through the Allocation Committee shall be direct sales between the selling handler and the purchasing handler and shall be paid for C. O. D. or on any reasonable terms satisfactory to the selling handler and under the following conditions:

(a) At ceiling price f. o. b. either country plant or New York City, at the option of the seller, or in the absence of an O. P. A. ceiling, at country handling charges as determined by the Allocation Committee.

(b) Butterfat content at country plant as reported to the Market Administrator on the monthly report, at the rate of 4 cents per point above or below 3.5% as the case may be.

(c) Trucking to be arranged for by the seller at his option, otherwise by the buyer. If the seller uses his own truck the price for trucking is to be determined by the Allocation Committee.

The Allocation Committee in requisitioning milk for allocations may take into account any or all of the following factors:

(a) Whether handler receives any special payment under Order 27 for servicing the market.

(b) Distance of plant from the marketing areas.

(c) Butterfat content of milk as related to the requirements of the buyer.

(d) Any other factor affecting cost or quality of the milk or availability of transportation facilities.

(e) The requirements of public health officials and the history of operations at the plant.

The Allocation Committee or its members shall not be subject to legal responsibility for failure to fill requests for milk supplies, but shall only be required to make efforts to obtain such supplies.

The Market Administrator shall cancel the designation as a reserve plant, if the

operator of such plant fails to comply with decisions of the Allocation Committee. Such failure to cooperate shall be deemed sufficient proof that the handler is not complying with § 927.3 (a) (3) (i) of the orders.

25. Amend § 927.4 (a) (2) by adding the following proviso: "*Provided*, That the holding of milk in the form of cream in a licensed cold storage warehouse at an average temperature below zero degrees Fahrenheit for at least 7 consecutive days shall constitute that portion of the handling of such cream, required pursuant to § 927.4 (c) (5), that is required to be performed during the month following its receipt from dairy farmers.

26. Amend § 927.4 (a) (3) (i) to provide that a handler can move frozen desserts from one plant to another plant in New York City or to a warehouse without affecting classification based on movement to an area where the product is utilized.

27. Amend § 927.4 (c) (10) by adding the term "syruped malted milk" to the list of products included therein.

28. Amend § 927.4 (c) (13) to read:

(13) Class V-A milk shall be the skim milk in all milk, which skim milk enters the marketing area in the form of fluid skim milk or cultured or flavored milk drinks containing less than 3 percent butterfat, or which is not accounted for in some product leaving or on hand at a plant.

29. Amend § 927.4 (c) (14) to read:

(14) Class V-B milk shall be the skim milk in all milk, which skim milk is not classified pursuant to (13) of this paragraph.

30. Amend § 927.5 by changing the second paragraph thereof to read:

The prices for milk classified pursuant to (4), (5), (6), (7), (8), (9), and (11) of § 927.4 (c) shall represent the value of the 40 percent cream equivalent of the milk. For purposes of this section, the quantity of skim milk to be priced at either the Class V-A or Class V-B price shall be 91.25 pounds (plus or minus 0.25 pound for each point of butterfat in milk containing less or more than 3.5 percent butterfat) in each 100 pounds of milk classified pursuant to (4), (5), (6), (7), (8), (9), and (11) of § 927.4 (c): *Provided*, That if the quantity of Class V-A milk is greater than the quantity of skim milk to be so priced, the excess V-A skim milk shall be paid for at the difference between the Class V-A and Class V-B prices.

31. Amend § 927.5 (a) (3) by adding a proviso that the Class I-B price shall not be less than the Class I-C price.

32. Amend § 927.5 (a) (14) by deleting the proviso contained therein.

33. Amend § 927.5 (c) by changing that portion of each of the subparagraphs 1, 2, and 3 thereof preceding the table in each of such subparagraphs to read as follows:

(1) The Market Administrator shall, from time to time determine and publicly announce for each pool plant the freight zone set forth in the following schedule. The freight zone for plants located in

the marketing area shall be the 1-10 mile zone. The freight zones for plants outside the marketing area shall be based on the railroad mileage distance from the plant to New York City terminals of the nearest railway shipping point, or the shortest highway mileage distance from the plant to Columbus Circle, New York City, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C., whichever is shorter. The minimum prices set forth in (a) of this section shall be plus or minus the amounts as set forth in the following schedule:

(2) The Market Administrator shall, from time to time, determine and publicly announce for each pool plant a zone based on its shortest highway mileage distance from the City Hall in Philadelphia, Pennsylvania, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C. The minimum price for Class II-D shall be subject to the minus differentials set forth in the following table applicable to the location of the plant at which the milk was received from producers:

(3) The Market Administrator shall, from time to time, determine and publicly announce for each pool plant a zone based on its shortest highway mileage distance from the State House in Boston, Massachusetts, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C. The minimum prices for Class II-E and Class II-F milk shall be subject to the minus differential set forth in the following table applicable to the location of the plant at which milk was received from producers:

34. Amend § 927.6 by changing paragraphs (c) and (d) thereof to (d) and (e) respectively, and by adding a new paragraph (c) as follows:

(c) *Storage cream reports.* On or before the last day of the period for establishing classification pursuant to § 927.4 (a) (2), and not later than 15 days prior to removal of the cream from storage, each handler shall report to the market administrator on forms prescribed by the market administrator information with respect to the storage of cream as a basis for Class II-B Classification. Failure to make such reports shall result in the disallowance of Class II-B classification.

35. Amend § 927.7 (a) by deleting subparagraph (5) thereof and providing that any location differentials shall be paid by handlers of the milk.

36. Amend § 927.7 (a) (5) by adding Sullivan County, New York and Berks County, Pennsylvania to the list of counties in which the location differential of 20 cents per hundredweight shall be applicable.

37. Amend § 927.8 by changing the title thereof to read: "*Payment by handlers directly to producers*", by changing the title of paragraph (a) thereof to read: "(a) *Time and rate of payments*", and by adding the following sentence to the end of paragraph (a): "Whenever verification by the market administrator of the payment to any producer or cooperative association of producers for milk delivered to any handler discloses pay-

ment of less than is required by this order, the handler shall make up such payment to the producer or cooperative association of producers not later than the time of making payment next following such disclosure."

38. Amend § 927.8 by deleting paragraph (e) thereof and all references elsewhere to payments for milk or milk products received from other than producer sources.

39. Amend § 927.8 (e) to provide that the payments for milk or milk products from other than producer sources shall not be made during any period of time in which any Board of Health having jurisdiction in the marketing area has declared an emergency and permitted the importation of such products from sources other than pool plants.

40. Amend § 927.8 (f) (Storage cream payments) by substituting for the word "stored" the words "received from producers" and by adding to the end of such paragraph (f) the following: "Claims pursuant to this paragraph shall be made not later than 30 days after the month during which such frozen cream is utilized: *Provided*, That if the reported utilization of such cream is found by the market administrator to be in error, claims may be made during a period ending not later than 30 days after notice by the market administrator of such error."

41. Amend § 927.8 by adding a new provision establishing a limitation on the time within which the Market Administrator may audit, reaudit or charge a handler, and during which any handler may make a claim on the producer-settlement fund.

42. Change the numbers of §§ 927.9, 927.10, 927.11 and 927.12 to 927.10, 927.11, 927.12, and 927.13, respectively, and add a new § 927.9 as follows, paragraphs (a), (b), (c), (d), and (e) of which are substituted for present paragraphs (g), (h), (i), and (j) of § 927.8, and with paragraphs (d), (e) and (f) of the present § 927.8 transferred to the new § 927.9 as paragraphs (f), (g), and (h):

§ 927.9 *Producer-settlement fund and its operation.* The market administrator shall establish and maintain a separate fund known as "the producer-settlement fund" into which he shall deposit all payments and out of which he shall make all payments pursuant to this section.

(a) *Handlers' accounts.* The market administrator shall establish an account for each handler who is required to make payments to the producer-settlement fund or who receives payments from the producer-settlement fund. After computing the uniform price and each handler's pool debit or credit each month, the market administrator shall render each handler a statement of his account showing the debit or credit balance, together with all debits or credits entered on such handler's account since the previous statement was rendered.

(b) *Payments to the producer-settlement fund.* On or before the 18th day of each month each handler shall make full payment of the debit balance, if any, of such handler shown on the statement of account rendered pursuant to (a) of this section.

(c) *Payments out of producer-settlement fund.* On or before the 20th day of each month the market administrator shall make payment to each handler of the credit balance, if any, of such handler shown on the statement of account rendered pursuant to (a) of this section. If, at any such time, the balance in the producer-settlement fund is insufficient to make full payment due to each handler, the market administrator shall reduce uniformly the payments to each handler and shall complete such payments as soon as the necessary funds are available. No handler who, on the 25th day of the month, has not received such payments in full from the market administrator shall be deemed to be in violation of § 927.8, if he reduces his total payments to producers for milk delivered by such producers during the proceeding month by not more than the amount of the reduction in payment from the producer-settlement fund.

(d) *Handlers' pool debit or credit.* After computing the uniform price for each month, the market administrator shall compute each handler's pool debit or pool credit as follows:

(1) Add to each handler's net pool obligation the value of his Class I-C milk at the uniform price.

(2) Multiply the quantity of milk received by each handler from producer by the uniform price.

(3) If the result obtained in (2) of this paragraph is less than the result in (1), the difference shall be entered on the handler's producer-settlement fund account as such handler's pool debit.

(4) If the result obtained in (2) of this paragraph is greater than the result in (1), the difference shall be entered on the handler's producer-settlement fund account as such handler's pool credit.

(e) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to or from the producer-settlement fund, the market administrator shall debit the handler's producer-settlement fund account for any unpaid amount. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall credit the handler's producer-settlement fund account for any such amount.

(f) Same as present § 927.8 (d).

(g) Same as present § 927.8 (f).

(h) Same as present § 927.8 (e) with subparagraph (4) thereof changed to read:

(4) The amount due pursuant to this paragraph shall be entered on the handler's account as a debit immediately after the filing of the report pursuant to § 927.6 (a).

(j) *Adjustment of past due accounts.* Any debit balance payable on the 18th day of any month as shown on the account rendered to any handler pursuant to (a) of this section, payment of which has not been received by the market administrator on the last day of such month, shall be increased by one-half of one percent.

43. Amend § 927.9 to require payments for expense of administration on or be-

fare the 18th day of each month rather than on or before the 20th day of each month, and by adding to the end thereof the following: "Whenever verification by the market administrator discloses an error in the payment made by any handler, such error shall be adjusted not later than the date next following such disclosure on which payments are due pursuant to this section."

Copies of this notice of hearing and of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Market Administrator, 205 East Forty-second Street, New York, New York, or from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Room 1331 South Building, Washington 25, D. C., or may be there inspected.

Dated: April 18, 1946.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator
for Regulatory and Marketing
Service Matters, Production
and Marketing Administra-
tion.

[F. R. Doc. 46-6607; Filed, Apr. 19, 1946;
11:09 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-507, G-508, G-510, G-516,
G-519, G-702]

HOPE NATURAL GAS CO. ET AL.

ORDER REOPENING PROCEEDINGS, CONSOLI-
DATING PROCEEDINGS AND FIXING DATE OF
HEARING

APRIL 17, 1946.

In the matters of Hope Natural Gas Company, Docket No. G-507; New York State Natural Gas Corporation, Docket No. G-508; The Manufacturers Light and Heat Company, and Manufacturers Gas Company, Docket No. G-510; United Fuel Gas Company, Docket No. G-516; Home Gas Company, Docket No. G-519; Central New York Power Corporation, Docket No. G-702.

It appears to the Commission that: (a) The Commission's Opinion No. 114 and accompanying orders entered April 26, 1944, at Docket Nos. G-507, G-508, G-510, G-516, and G-519, authorized Hope Natural Gas Company and New York State Natural Gas Corporation ("New York State Corporation") to construct and operate certain facilities described therein.

(b) Paragraph (C) of the aforesaid order of April 26, 1944, provides as follows:

(C) Until further order of the Commission, the facilities herein authorized shall be operated exclusively for the purpose of enabling Hope Natural Gas Company and New York State Natural Gas Corporation to supply the natural-gas requirements of the following-named customers of New York State Natural Gas Corporation in accordance with the terms and provisions of existing contracts covering the sale and delivery of such requirements, limited, however, to the maximum annual quantities of natural gas set forth in the following tabulation:

	Annual volume (Mcf)
New York State Electric & Gas Corp.	1,900,000
Central New York Power Corp.	3,300,000
Empire Gas & Fuel Co. (Pa.)	303,750
Godfrey L. Cabot, Inc.	592,750
North Penn Gas Co. and Allegany Gas Co.	1,581,250
Penn-York Gas Corp.	1,718,000

(c) By order of the Commission entered April 5, 1946, the aforementioned paragraph (C) of the order of April 26, 1944, was modified and amended so as to authorize Hope Natural Gas Company to supply the natural gas requirements of the New York State Natural Gas Corporation in accordance with the terms and provisions of the existing contract between such companies, which has been filed with the Commission and has been designated Hope Natural Gas Company Rate Schedule FPC No. 9; to authorize New York State Natural Gas Corporation to deliver to Empire Gas and Fuel Company an additional 365,250 Mcf of natural gas, thereby increasing the total maximum annual volume deliverable to Empire Gas and Fuel Company from 303,750 to 669,000 Mcf; and to authorize New York State Natural Gas Corporation to deliver to Dempseytown Gas Company 304,000 Mcf of natural gas annually.

(d) By order entered March 26, 1946, the Commission directed that the proceedings in the Matters of Hope Natural Gas Company, et al., Docket Nos. G-507, G-508, G-510, G-516 and G-519 be reopened for the purpose of taking evidence with respect to the matters involved and the issues presented by a petition filed by New York State Corporation on February 8, 1946, Docket No. G-508, requesting modification of paragraph (C) of the aforesaid order of April 26, 1944, in such manner as to eliminate all limitation imposed upon the sale and delivery of natural gas to Central New York Power Corporation. The Commission further directed the reopened proceeding be consolidated for purpose of hearing with the proceeding upon the application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, filed by Central New York Power Corporation on February 11, 1946, Docket No. G-702.

(e) By order entered April 5, 1946, the Commission directed that the proceedings in the Matters of Hope Natural Gas Company, et al., Docket Nos. G-507, G-508, G-510, G-516 and G-519 be reopened for the purpose of taking evidence with respect to the matters involved and the issues presented by a petition filed by New York State Corporation on January 22, 1946, as supplemented by information submitted February 4, 1946, Docket No. G-508, requesting authority to deliver to Dempseytown Gas Company 632,500 Mcf of natural gas annually instead of 304,000 Mcf annually as requested in an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, filed by New York State Corporation on October 16, 1945, Docket No. G-508; and by a petition filed by

New York State Corporation on February 25, 1946, Docket No. G-508, requesting modification of the limitation imposed by paragraph (c) of the aforesaid order of April 26, 1944, in such manner as to authorize New York State Corporation to increase from 1,718,000 Mcf to 2,033,000 Mcf the maximum annual quantity of natural gas deliverable to Penn-York Natural Gas Corporation. The Commission further directed that the reopened proceedings referred to in this paragraph be consolidated for purpose of hearing with the proceedings referred to in paragraph (d) hereof.

(f) The hearing in the reopened and consolidated proceedings referred to in paragraph (d) and (e) hereof is now set to commence on April 23, 1946, at 10:00 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N.W., Washington, D. C.

(g) On April 8, 1946, New York State Corporation, Docket No. G-508, filed with the Commission a petition requesting modification of the limitation imposed by paragraph (C) of the aforesaid order of April 26, 1944, insofar as it pertains to the sale and delivery of natural gas to North Penn Gas Company and Allegany Gas Company, New York State Corporation requests that the Commission modify the aforementioned paragraph (C) in such manner as to eliminate all limitation on the volumes of natural gas deliverable to North Penn Gas Company and Allegany Gas Company.

The Commission finds that: (1) It is necessary and appropriate in the public interest that the record in the proceedings in the Matters of Hope Natural Gas Company, et al., Docket Nos. G-507, G-508, G-510, G-516 and G-519, be reopened for the purpose of taking evidence with respect to the matters involved and the issues presented by the petition of New York State Natural Gas Corporation filed April 8, 1946, requesting modification of paragraph (C) of the Commission's order of April 26, 1944, insofar as it pertains to the sale and delivery of natural gas to North Penn Gas Company and Allegany Gas Company.

(2) The reopened proceedings referred to in paragraph (1) hereof may present substantially similar issues and facts as those presented in connection with the matters referred to in paragraphs (d) and (e) hereof.

The Commission orders that: (A) The record in the proceedings in the Matters of Hope Natural Gas Company, et al., Docket Nos. G-507, G-508, G-510, G-516 and G-519 be and it is hereby reopened for the purpose of taking evidence with respect to the matters involved and the issues presented by the petition of New York State Natural Gas Corporation referred to in paragraph (g) hereof.

(B) The reopened proceedings be consolidated for purpose of hearing with the matters referred to in paragraphs (d) and (e) hereof which have been set by orders of the Commission entered April 2 and 5, 1946, to commence on April 23, 1946, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800

Pennsylvania Avenue, N. W., Washington, D. C.

(C) All interveners in the proceedings in the Matters of Hope Natural Gas Company, et al., Docket Nos. G-507, G-508, G-510, G-516, and G-519 may participate in the reopened and consolidated proceedings in accordance with leave heretofore granted by the Commission.

(D) Interested state commissions may participate in said hearing as provided in § 67.5 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-6612; Filed, Apr. 19, 1946;
11:32 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 580, Amdt. 1 to Order 89]

JACOB SIEGEL CO.

ESTABLISHING CEILING PRICE

Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-603.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 89 issued under section 13 of Maximum Price Regulation No. 580 on application of Jacob Siegel Company, Philadelphia, Pennsylvania, is amended in the following respects:

1. Paragraph (a) is amended to increase the retail ceiling prices established for the articles listed below:

Article	Brand name	Manufacturer's price line	Ceiling price at retail
Men's topcoats...	Alpacuna.....	\$27.50	\$45.00
Men's overcoats...	do.....	30.50	50.00

2. Paragraph (c) is amended to read:

(c) On and after May 15, 1946, Jacob Siegel Company of Philadelphia, Pennsylvania, must mark each article in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Price \$—

On and after June 15, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to June 15, 1946 if the article is marked or tagged with a retail ceiling price different from the one established under this order or if the article is unmarked and untagged, the retailer shall comply with the marking, tagging and posting provisions of the regulation applicable in the absence of this order.

3. Paragraph (d) is amended by adding the words "and all subsequent amendments" after the words "the seller shall send the purchaser a copy of this order."

This amendment shall become effective April 18, 1946.

Issued this 18th day of April 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-6581; Filed, Apr. 18, 1946;
4:22 p. m.]

[Rev. SO 119, Order 165]

RUTENBER ELECTRIC CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's maximum prices.* Rutenber Electric Company, of Marion, Indiana, may compute its adjusted maximum prices for all electric ranges which it manufactures, as follows:

(1) For an article which has a properly established maximum price in effect before the effective date of this order, the

adjusted maximum price is the article's properly established maximum price for the particular sale, increased by 8.6 per cent.

(2) For an article which is first offered for sale after the effective date of this order, the adjusted maximum price is the maximum price hereafter properly established or determined in accordance with sections 3, 7, or 8 of Maximum Price Regulation No. 64, increased by 8.6 per cent; or the maximum price determined in accordance with section 5 of Maximum Price Regulation No. 64, which maximum price may not be increased under this order.

(3) The manufacturer's adjusted maximum price, fixed in accordance with this order, is its new maximum price including all increases and adjustments otherwise authorized for it individually, or for its industry.

(b) *Resellers' maximum prices.* (1) For sales in each zone by wholesale distributors to retail dealers, the maximum price for the electric ranges manufactured by Rutenber Electric Company and listed below, are those set forth below:

Model	Quantity	Maximum prices for sales by wholesale distributors to retail dealers			
		Zone 1	Zone 2	Zone 3	Zone 4
		Each	Each	Each	Each
548.....	1 to 4.....	\$119.89	\$122.14	\$124.39	\$126.49
	5 or more.....	115.74	117.90	120.06	122.07
324.....	1 to 4.....	72.78	74.26	75.78	77.18
	5 or more.....	70.26	71.70	73.14	74.48
324 with clock and timer.....	1 to 4.....	84.11	85.61	87.11	88.51
	5 or more.....	81.19	82.63	84.07	85.42
345.....	1 to 4.....	72.78	74.76	76.75	78.00
	5 or more.....	70.26	72.16	74.07	75.85
345 with clock and timer.....	1 to 4.....	84.11	86.09	88.08	89.93
	5 or more.....	81.19	83.10	85.01	86.79
350.....	1 to 4.....	140.33	142.88	145.43	147.80
	5 or more.....	135.47	137.92	140.36	142.64
350 with clock and timer.....	1 to 4.....	157.23	159.78	162.33	164.71
	5 or more.....	151.79	154.24	156.68	158.96

These maximum prices include the Federal excise tax. They are f. o. b. the seller's city; and are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(2) For sales in each zone by retail dealers to ultimate consumers, the maximum prices are those set forth below:

Model	Maximum prices for sales by retail dealers to ultimate consumers			
	Zone 1	Zone 2	Zone 3	Zone 4
	Each	Each	Each	Each
548.....	\$182.25	\$185.75	\$189.25	\$192.75
324.....	110.50	112.95	115.25	117.50
324 with clock and timer.....	127.75	130.25	132.50	134.75
345.....	110.50	113.75	116.95	119.95
345 with clock and timer.....	127.75	130.95	134.25	137.25
350.....	213.25	217.25	221.25	225.25
350 with clock and timer.....	238.95	242.95	246.95	250.95

These prices include the Federal excise tax, delivery, a one year warranty and installation with connection to electric facilities to be provided by the purchaser. If a range cord set (customarily referred to in the industry as a "pigtail") is required and is furnished by the retail dealer, he may add \$3.50 to the above OPA retail maximum price. In all other respects these maximum prices are sub-

ject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(3) The provisions of Supplementary Order No. 153 shall not apply to resales of articles covered by this order.

(c) *Zones.* For the purposes of this order, Zones 1, 2, 3, and 4 comprise the following areas:

Zone 1: Indiana.
Zone 2: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Michigan, Ohio, Kentucky, Wisconsin, Illinois, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Louisiana, Minnesota, Iowa, Missouri, Arkansas, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and the District of Columbia.

Zone 3: Montana, Wyoming, Colorado, New Mexico, and Texas.

Zone 4: Washington, Oregon, Idaho, California, Nevada, Utah, and Arizona.

(d) *Notification.* At the time of, or prior to the first invoice to each purchaser for resale at wholesale the manufacturer shall notify him of the maximum prices established by this order for resales by the purchaser. This notice may be given in any convenient form.

(e) *Tagging.* The manufacturer, prior to shipping any range covered by

this order to a purchaser for resale, shall attach securely to the outside panel of the oven door of each range, a label which contains all the following information:

1. The model number of the range.
2. The range's OPA retail maximum prices in each zone.
3. A list of the area included in each zone.
4. A statement that the maximum prices shown include the Federal excise tax, delivery, a one year warranty and installation where the installation requires only that the range be connected to electric facilities provided by the purchaser and such connection does not require any additional materials.
5. A statement that if the installation requires the use of a range cord set (customarily referred to in the industry as a "pigtail") and such set is furnished by the retail dealer, he may add \$3.50 to the OPA retail maximum price of the range.

(f) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(g) *Effective date.* This order shall become effective on the 19th day of April 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6566; Filed, Apr. 18, 1946;
11:37 a. m.]

[MPR 188, Order 4963]

DEENA PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Deena Products Company, 825 South Wabash Avenue, Chicago 5, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sale by manufacturer to—		For sale by any person to consumer
		Jobbers	Retailer	
Decorated china table lamp with metal plated base and silk shade.	6001	Each \$5.06	Each \$5.95	Each \$10.71
Decorated china table lamp with metal plated base and rayon over parchment shade.	6005	5.06	5.95	10.71
Decorated china table lamp with metal plated base and silk shade.	2001-2-3-4	5.91	6.95	12.51
Decorated china table lamp with metal plated base and silk shade.	2101	7.70	8.75	15.75
Decorated china table lamp and silk shade.	2150-1	9.14	10.75	19.35
Decorated china table lamp and silk shade.	2201-3-4	10.84	12.75	22.95
Decorated china table lamp and silk shade.	2251-2-3	13.39	15.75	28.35
Plated table lamp and silk shade.	4081-2-3-4-5-6	5.91	6.95	12.51
Plated table lamp and rayon over parchment shade.	4090-1-2-3-4-5	5.91	6.95	12.51
Terra cotta hand-colored table lamp and rayon satin over parchment shade.	4012-13-18-19-20-21-22-23-28 29-60-61-62-63-64-65-66-67	5.91	6.95	12.51
Plated bronze or gold 4-way jr. floor lamp and rayon satin over parchment shade.	510-Jr.	9.31	10.95	19.71
Plated bronze or gold swing-arm bridge lamp and rayon satin over parchment shade.	SA-510	10.16	11.95	21.51
Plated bronze or gold student bridge lamp and rayon satin over parchment shade.	S-510	9.31	10.95	19.71
Plated bronze or gold 6-way jr. floor lamp and silk shade.	1425-Jr.	14.24	16.75	30.15
Plated bronze or gold swing-arm bridge lamp and silk shade.	SA-1425	15.09	17.75	31.95
Plated bronze or gold bridge lamp and silk shade.	S-1425	14.24	16.75	30.15
Plated bronze or gold 6-way jr. floor lamp and silk shade.	1426-Jr.	14.24	16.75	30.15
Plated bronze or gold swing-arm bridge lamp with marble insert and silk shade.	SA-1426	15.09	17.75	31.95
Plated bronze or gold bridge lamp with marble insert and silk shade.	S-1426	14.24	16.75	30.15
Plated bronze or gold 6-way jr. floor lamp with marble insert and silk shade.	1427-Jr.	14.24	16.75	30.15
Plated bronze or gold swing-arm bridge lamp and silk shade.	SA-1427	15.09	17.75	31.95
Plated bronze or gold bridge lamp and silk shade.	S-1427	14.24	16.75	30.15
Plated bronze or gold torchier with marble insert and glass reflector.	T-1426	13.39	15.75	28.35
Plated bronze or gold torchier and glass reflector.	T-1427	13.39	15.75	28.35

These maximum prices for the articles described in the manufacturer's application dated February 5, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 1% 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's cus-

tomary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers

is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number _____
OPA Retail Ceiling Price \$ _____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 19th day of April 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6562; Filed, Apr. 18, 1946;
11:37 a. m.]

[MPR 591, Order 429]

SOUTHERN AIRCRAFT CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following refrigerated beverage cooler manufactured by the Southern Aircraft Company, Garland, Dallas County, Texas, and as described in the application dated March 29, 1946, which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
2/keg refrigerated beverage cooler—36 case	\$750	\$875	\$1,250

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to

the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Southern Aircraft Company of Garland, Dallas County, Texas, shall stencil on the inside of lid or cover of the refrigerated beverage cooler covered by this order, substantially the following:

OPA Maximum Retail Price \$1,250

Plus freight and crating as provided in Order No. 429 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 19, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6563; Filed, Apr. 18, 1946;
11:37 a. m.]

[MPR 594, Order 23]

PACKARD MOTOR CAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 8 of Maximum Price Regulation 594, it is ordered:

(a) *Company sales to zones.* Packard Motor Car Company, Detroit, Michigan, hereinafter called "Company" is authorized to sell and deliver f.o.b. Detroit, Michigan, each of the new Packard passenger automobiles described in subparagraph (1) to zones at a price not to exceed the applicable wholesale price in subparagraph (1) less the Company's rebates in subparagraph (2) plus the applicable charges in subparagraph (3).

(1) *New automobile.*

Description	Wholesale price
Packard Six:	
Club sedan	\$1,071.36
4-door sedan	1,104.73
Taxicab-partition type	1,329.44
Taxicab-sedan type	1,249.84
Packard Eight:	
Club sedan	1,119.25
4-door sedan	1,152.64
Packard DeLuxe Eight:	
Club sedan	1,160.22
4-door sedan	1,194.86
Packard Super Eight:	
Club sedan	1,373.97
4-door sedan	1,404.54
Packard Custom Super Eight:	
Club sedan	1,763.56
4-door sedan	1,845.92

(i) *Taxicab deductions.* The Company shall deduct from the wholesale price of the Packard Six taxicab being sold the following applicable allowance when roof lamps or tires are not furnished with the taxicab.

Description:	Deduction
Roof lamps	\$28.73
4 tires 6 ply standard	53.76

(2) *Company rebates—(i) Wholesale rebates to zones.* The Company shall allow to a zone a rebate on the wholesale price in subparagraph (1) above, for each of the automobiles sold to the zone, the following applicable amount in the event the zone supplies the Company with an affidavit that it sold the automobile to a qualified dealer:

Automobile:	Amount
Packard Six	\$53.00
Packard Eight	57.00
Packard DeLuxe Eight	59.00
Packard Super Eight	76.00
Packard Custom Super Eight	112.00

(ii) *Retroactive volume rebates.* The Company shall allow a zone the following applicable retroactive car volume rebate on each Packard Six, Eight or DeLuxe Eight models, computed separately on basis of resales to each dealer and on

basis of deliveries by a zone when selling at retail in conformity with the Company agreement with the zone:

Quantity of automobiles:	Rebate
1-15	0
16-30	\$10.00
31-50	15.00
51-75	20.00
76-100	25.00
101-250	30.00
251 up	35.00

(iii) *Quantity purchase rebate.* The Company shall pay to quantity purchasers on all purchases from zones or dealers 89.3% of the applicable quantity purchasers' rebate in effect January 1, 1941.

(3) *Charges—(i) Special or optional equipment.* A charge for each item or group of special or optional equipment listed in the following schedule when installed on the automobile not to exceed the sum of the applicable wholesale price and Federal excise tax in the schedule. When this special or optional equipment is not installed but is shipped with the automobile, the charge for each item or group of such equipment shall not exceed the sum of the applicable wholesale price and Federal excise tax for installed equipment less the installation allowance deduction.

Description	Installation allowance deduction including excise tax	Excise Tax on equipment installed	Wholesale price installed		List price installed
			To zone	To dealer	
Accessory group "CC":					
Clock					
Cigar lighter		\$1.01	\$14.45	\$15.55	\$20.20
Horn ring					
Courtesy light					
Antennas for radios:					
Rotary	\$2.57	.40	5.63	6.49	9.60
Vacuum	2.57	.77	10.91	12.42	12.42
Exhaust pipe trim	.51	.07	1.07	1.25	1.49
Export car equipment group:					
"EC" export special equipment		.48	6.90	7.45	9.65
"XOF" export oil filter		.18	2.60	2.80	3.65
Gas tank locking caps	.51	.09	1.36	1.71	2.27
Guards, bumpers:					
Front auxiliary equipment	1.28	.34	5.67	6.59	9.33
Rear auxiliary equipment	1.28	.34	5.67	6.59	9.33
Heater and defroster:					
Dash	5.91	1.30	18.56	22.39	30.40
Undersent	10.27	1.94	27.80	32.99	40.54
Heater fresh air intake	2.57	.40	5.75	6.59	8.87
License plate frames (pair)	.51	.13	1.89	2.42	3.16
Lights:					
Backlight	2.57	.33	4.75	5.37	6.49
Fog (pair)	4.62	.79	11.36	13.16	15.57
Luggage compartment	1.03	.12	1.67	1.91	2.35
Spotlight	3.85	.95	13.58	16.13	19.68
Mirrors:					
Rear view bolt-on type	.64	.16	2.25	2.72	5.02
Rear view clamp-on type	.64	.11	1.66	1.93	2.27
Rear view non-glare type	.64	.15	2.19	2.55	2.94
Vanity		.05	.65	.82	1.24
Oil bath		.29	4.20	4.50	5.85
Oil filter	1.28	.28	4.08	4.80	6.07
Overdrive		3.42	48.85	52.45	68.25
Right hand drive		1.62	23.20	24.95	32.40
Steering wheel, deluxe	1.28	.54	7.77	9.22	11.92
Sun visor	.51	.12	1.77	2.13	2.92
Taxicab equipment:					
Backup buzzer		.15	2.15	2.30	2.70
Trunk rack and license lamp		1.32	18.85	20.15	23.95
Trunk screen		.85	12.15	13.00	15.50
Tires 6-ply instead of 4-ply:					
Six, Eight or DeLuxe Eight		1.07	15.35	16.30	33.30
Super Eight or Custom Super Eight		1.11	15.85	16.80	35.15
Venetian shades	.77	.28	3.95	4.79	6.87
Wheels, 16" instead of 15":					
Six, Eight and DeLuxe Eight		.55	7.80	8.40	10.90
Super Eight and Custom Super Eight		.99	14.20	15.25	19.85
Wheel shields, rear (pair)	2.57	.99	14.15	16.58	24.35
Wheel trim rings (each)	.20	.08	1.19	1.53	2.20

(ii) *Transportation.* A charge to cover any outbound transportation costs pre-paid by the Company on new automobiles and special or optional equipment computed in accordance with the method in effect on October 15, 1941.

(iii) *Federal excise taxes.* A charge to cover Federal excise taxes on the au-

tomobile not to exceed the applicable amount set out below:

Automobile:	Amount
Packard Six:	
Club sedan	\$75.00
4-door sedan	77.33
Taxicab-partition type	93.06
Taxicab-sedan type	87.49

Automobile—Continued.

Packard Eight:	Amount
Club sedan	\$78.35
4-door sedan	80.68
Packard DeLuxe Eight:	
Club sedan	81.22
4-door sedan	83.64
Packard Super Eight:	
Club sedan	96.18
4-door sedan	98.32
Packard Custom Super Eight:	
Club sedan	123.45
4-door sedan	129.21

(iv) *Cooperative advertising.* A contribution for company-zone-dealer cooperative advertising expense when the zone has agreed to participate in the cooperative advertising pool not to exceed the following applicable amounts: Six \$9.00, Eight or DeLuxe Eight \$10.00, Super Eight or Custom Super Eight \$14.00.

(v) *Preparing and conditioning for drive-away delivery at the factory to zones or dealers.* A charge for preparing and conditioning the automobile for drive-away delivery at the factory to a zone or dealer not to exceed the following applicable amount: Packard Six, Eight or DeLuxe Eight, all models \$11.00; Packard Super Eight or Custom Super Eight \$13.00. In this preparing and conditioning the same amount of gasoline, oil, grease and servicing shall be furnished as was furnished on October 15, 1941 for the applicable model.

(vi) *Preparing and conditioning for drive-away delivery at the factory to the retail customer of a zone or dealer.* A charge for preparing and conditioning the automobile for drive-away delivery at the factory to the retail customer of a zone or dealer not to exceed the following applicable amount: Packard Six, Eight or DeLuxe Eight, all models \$17.00; Packard Super Eight or Custom Super Eight \$20.50.

(vii) *Anti-freeze.* A charge for anti-freeze furnished with the automobile not to exceed its maximum price under the applicable maximum price regulation.

(b) *Sales by zones to dealers.* Zones may sell and deliver to dealers each of the new Packard passenger automobiles listed in paragraph (a) (1) at a price not to exceed the total of the the following charges:

(1) *New automobile.* A charge for the new automobile not to exceed the applicable wholesale price in paragraph (a) (1), less the following applicable retroactive car volume rebate when the new automobile being sold is a Packard Six, Eight or DeLuxe Eight, applied in accordance with the sales agreement between the zone and the dealer.

Quantity of automobiles:	Rebate
1-15	0
16-30	\$10.00
31-50	15.00
51-75	20.00
76-100	25.00
101-250	30.00
251 up	35.00

(2) *Special or optional equipment.* A charge for each item or group of special or optional equipment listed in the schedule of paragraph (a) (3) (i) when installed on the new automobile not to exceed the sum of the respective wholesale price to dealer set forth in the column headed "Wholesale prices—to dealer" in the schedule and applicable

Federal excise tax in the schedule. When this extra or optional equipment is not installed on the new automobile but is shipped with the new automobile, the charge for each group or item shall be the wholesale price to the dealer and applicable Federal excise tax in the schedule in paragraph (a) (3) (i) less the applicable installation allowance deduction in that schedule.

(3) *Charge for transportation—(i) When transportation charge to reseller is prepaid.* A charge not to exceed the net invoice transportation charge for the new automobile and special or optional equipment being sold, including transportation tax; or

(ii) *When transportation charge to reseller is not prepaid.* A charge to cover transportation expense not to exceed the rail freight charge at carload rate, by the most direct route, for the transportation of the automobile and special or optional equipment from Detroit, Michigan, to the place at which delivery is made to the dealer, including transportation tax at the current legal rate; except that where the automobile and special or optional equipment is transported by truck-away, and the reseller pays the truck-away charge, the charge may be the truck-away charge, at truckload rate, for the most direct route from Detroit, Michigan, to the place at which delivery is made to the dealer, including transportation tax at the current legal rate, or where the automobile and special or optional equipment is transported by combined boat and truck-away and the reseller pays for that combined method of transportation, the charge may be a combination charge for the most direct route from Detroit, Michigan, to the place at which delivery is made to the dealer computed at the combination truck-away and boat rate approved by the Interstate Commerce Commission.

(4) *Federal excise taxes.* A charge for Federal excise taxes on the automobile not to exceed the applicable charge in paragraph (a) (3) (iii).

(5) *Cooperative advertising.* A contribution for company-zone dealer advertising expense not to exceed the applicable charge in paragraph (a) (3) (iii) for this expense, when the dealer has agreed to participate in the cooperative advertising pool.

(6) *Preparing and conditioning for drive-away delivery at the factory.* A charge for preparing and conditioning for drive-away delivery at the factory not to exceed the amount invoiced by the Company under paragraph (a) (3) (v) or (a) (3) (vi).

(7) *Preparing and conditioning for drive-away delivery at the zone.* A charge for delivery by zones to dealers or other zones not to exceed the applicable amount as follows: Six, Eight and DeLuxe Eight \$10.00; Super Eight and Custom Super Eight \$12.00. When an automobile is prepared by a zone for delivery to a dealer's customer a charge may be made in the following amount: Six, Eight and DeLuxe Eight \$14.00; Super Eight and Custom Super Eight \$17.50. In this preparation, the same amount of gasoline, oil, grease and servicing shall be furnished by the zone for the applicable model as it furnished on October 15, 1941.

(8) *Anti-freeze.* A charge for anti-freeze furnished with the automobile not to exceed its maximum price under the applicable maximum price regulation.

(c) *Sales at retail by dealers or other resellers in continental United States.* A dealer or other reseller may sell and deliver at its place of business each of the new Packard passenger automobiles listed in subparagraph (1) below at a price not to exceed the total of the following charges:

(1) *Charge for automobile.* A charge for the new automobile described below not to exceed the following applicable list price:

Description	List price
Packard six:	
Club sedan	\$1,366.00
4-door sedan	1,408.00
Taxicab—partition type	1,703.00
Taxicab—screen type	1,599.00
Packard Eight:	
Club sedan	1,418.00
4-door sedan	1,460.00
Packard DeLuxe Eight:	
Club sedan	1,469.00
4-door sedan	1,513.00
Packard Super Eight:	
Club sedan	1,820.00
4-door sedan	1,859.00
Packard Custom Super Eight:	
Club sedan	2,381.00
4-door sedan	2,492.00

(i) *Taxicab deductions.* The dealer or other reseller shall deduct from the wholesale price of the Packard six taxicab being sold the following applicable allowance when roof lamps or tires are not furnished with the taxicab:

Description	Deduction
Roof lamps	\$28.73
4 tires 6 ply standard	53.76

(2) *Charge for special or optional equipment.* A charge for each item or group of special or optional equipment listed in paragraph (a) (3) (i) installed on the automobile not to exceed the applicable list price in that paragraph plus the applicable federal excise tax in the schedule.

(3) *Charge for transportation—(i) When transportation charge to reseller is prepaid.* A charge not to exceed the net invoice transportation charge for the new automobile and special or optional equipment being sold, including transportation tax; or

(ii) *When transportation charge to reseller is not prepaid.* A charge to cover transportation expense not to exceed the rail freight charge at carload rate, by the most direct route, for the transportation of the automobile and special or optional equipment from Detroit, Michigan, to the place at which delivery is made to the purchaser, including transportation tax at the current legal rate; except that, where the automobile and special or optional equipment is transported by truck-away, and the reseller pays the truck-away charge, the charge may be the truck-away charge, at truckload rate, for the most direct route from Detroit, Michigan, to the place at which delivery is made to the purchaser, including transportation tax at the current legal rate, or where the automobile and special or optional equipment is transported by combined boat and truck-away and the reseller pays for that combined method of transportation, the charge may be a combination charge for

the most direct route from Detroit, Michigan, to the place at which delivery is made to the purchaser computed at the combination truck-away and boat rate approved by the Interstate Commerce Commission.

(4) *Charge for Federal excise taxes.* A charge for Federal excise taxes on the automobile not to exceed the applicable charge in paragraph (a) (3) (iii).

(5) *Charge for preparing and conditioning.* A charge for preparing and conditioning the automobile for delivery to a retail customer not to exceed the following applicable amount: Packard Six, all models \$20.00; Packard Eight and DeLuxe Eight, all models \$30.00; Packard Super Eight and Custom Super Eight, all models \$40.00.

(6) *Charge for State and local taxes.* A charge to cover State and local taxes on the sale or delivery of the new automobile and special or optional equipment not to exceed the amount of such taxes, if any.

(7) *Charge for gasoline, oil and anti-freeze.* A charge for gasoline, oil and anti-freeze furnished with the automobile not to exceed their maximum prices under the applicable maximum price regulations.

(d) *Resellers in territories and possessions.* A reseller is authorized to sell each of the new Packard passenger automobiles and special or optional equipment listed in paragraph (a) in a territory or possession of the United States at a price not to exceed the maximum price permitted by paragraph (b) for sales at wholesale or paragraph (c) for sales at retail, to which he may add a sum not to exceed the expense incurred by or charged to him for: Payment of territorial and insular taxes on the purchase, sale or introduction of the new automobile in the territory or possession, when not charged under paragraph (b) or (c); export premiums; boxing and crating for export purposes; assembly costs, if any; marine and war risk insurance; landing, wharfage and terminal operations; ocean freight; freight to port of embarkation, when not charged under paragraph (b) or (c); and inland territorial freight from port of embarkation to reseller's place of business by the most direct route.

(e) *Definitions—(1) Zones.* A zone is a company branch, or a company-owned subsidiary corporation or an independent distributor.

(2) *Retroactive volume rebates.* A retroactive volume rebate is a rebate which shall be applied by the company or zone retroactively on the basis of the largest quantity purchased and applied to the total quantity purchased in the model year.

(f) All requests not granted herein are denied.

(g) This order may be amended or revoked by the Administrator at any time.

This order shall become effective April 18, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6564; Filed, Apr. 18, 1946; 11:34 a. m.]

[Rev. SO 119, Order 167]

ENAMEL PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 167 under Revised Supplementary Order No. 119. Docket No. 6075-SO 119-35.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Enamel Products Company, Cleveland, Ohio.* (1) The above manufacturer may determine his maximum prices for his line of Porcelain enameled drain boards and washtub covers by increasing by 7 percent his prices on these items in effect on October 1, 1941, to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941, plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 167 under Revised Supplementary Order No. 119 authorizes a 7 percent increase in October 1, 1941 net prices for sales of porcelain enameled drain boards and wash tub covers, manufactured by this company:

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 167.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective April 18, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6582; Filed, Apr. 18, 1946; 4:22 p. m.]

[MPR 120, Order 1639]

PUBLIC COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

(a) The Public Coal Company Mine of Public Coal Company, Cheyenne, Wyoming, is hereby assigned Mine Index No. 1004 and its coals are hereby classified in Subdistrict No. 3 for all methods of shipment.

(b) Coals produced by Public Coal Company at its Public Coal Company Mine, Mine Index No. 1004, located in Carbon County, Wyoming, in Subdistrict No. 3 of District No. 19, may be sold and purchased at per net ton prices in cents per net ton not exceeding the following:

	Size group Nos.			
	1-4 incl.	5-7 incl.	8	9-11 incl.
All methods of transportation except truck or wagon	345	320	320	260
Truck or wagon shipments...	400	375	375	295

	Size group Nos.			
	12	13	14-16 incl.	17
All methods of transportation except truck or wagon	270	260	225	150
Truck or wagon shipments...	300	290	250	175

Railroad locomotive fuel:
Size groups 1 to 13, inclusive..... 200

(c) All prayers of applicant not granted herein are hereby denied.

(d) This order may be revoked or amended at any time.

(e) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

This order shall become effective April 19, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6575; Filed, Apr. 18, 1946; 4:22 p. m.]

[Order 107 Under Order 375 Under 3 (b)]

EMBASSY CHOCOLATE PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that:

Authorization of maximum prices governing sales of a confectionery item to be known as "Embassy Chocolate Products" and/or "Candy Lane", manufactured by Embassy Chocolate Products Company, Beverly Hills, California. (a) The maximum prices for the indicated sales below of a confectionery item to be known as "Embassy Chocolate Products" and/or "Candy Lane", manufactured by Em-

bassy Chocolate Products Company, 8725 Wilshire Boulevard, Beverly Hills, California, in accordance with its formula contained in its price application of October 20, 1945, shall be:

1. From Embassy Chocolate Products Company to wholesalers per box, 1 lb. net, delivered.....	\$0.92
2. From all sellers to retailers per box, 1 lb. net, delivered.....	1.15
3. From all sellers to consumers per box, 1 lb. net.....	1.60

(b) Maximum prices established in this order are the highest for which this one-pound box of assorted chocolate covered nuts may be sold by the respective sellers. All sellers on sales of this item shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable confectionery items.

(c) Embassy Chocolate Products Company shall mail or otherwise supply to each wholesaler or retailer at the time of or prior to the first delivery a written notice as follows:

The Office of Price Administration has authorized us to sell our (name of item) to wholesalers at a maximum delivered price of 92 cents per box, one pound net, and to retailers at a maximum delivered price of \$1.15 per box, one pound net. Wholesalers are authorized to sell this item to retailers at a maximum price of \$1.15 per box, one pound net, delivered. On sales of this item all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable confectionery items.

(d) Embassy Chocolate Products Company for a period of at least 90 days shall place in or on each carton distributed through a wholesaler a notice as follows:

The Office of Price Administration has authorized wholesalers to sell this one pound box of (name of item) to retailers at a maximum delivered price of \$1.15. Retailers are authorized to sell this item to consumers at a maximum price of \$1.60 per one pound box.

(e) This order may be revoked or amended at any time by the Price Administrator.

(f) This order No. 107 shall become effective April 19, 1946.

NOTE: This action has the prior written approval of the Secretary of Agriculture (10 F.R. 8419, 9419, 10961, 12305).

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6574; Filed, Apr. 18, 1946; 4:23 p. m.]

[RMPR 136, Order 607]

MAIN-LINE TRAILER COACH CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) Main-Line Trailer Coach Company, 8825 Avalon Boulevard, Los An-

geles, California, may sell, f. o. b. plant, each Silver Lark trailer coach described in subparagraph (1) below at a price not to exceed \$610.06 plus federal excise tax, and state and local taxes on the sale or delivery of the trailer, and the cost of transporting the trailer to the purchaser, if any.

(1) *Description.* Silver Lark trailer coach, 17' overall length, aluminum covered, equipped with propane cooking and heating equipment, divan and breakfast nook, 6.00 x 16, 4 ply synthetic rubber tires and tubes, and additional detailed specifications included in the report filed with this Office.

(b) Main-Line Trailer Coach Company is authorized to suggest to resellers a resale price for the trailer coach described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale price:* \$794.76.

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Los Angeles, California, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Main-Line Trailer Coach Company to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Silver Lark trailer coaches in any of the territories or possessions of the United States is authorized to sell the trailer coach described in paragraph (a) at a price not to exceed the price established in paragraph (b) to which it may add a sum equal to the expense incurred or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer coach; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) The Main-Line Trailer Coach Company shall report to this Office no later than October 30, 1946, cost data covering this trailer coach based on actual operations for April, May, June, July, August and September 1946 but computed in accordance with the limitations of Section 10 of Revised Maximum Price Regulation 136.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of the trailer coach, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective April 19, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6576; Filed, Apr. 18, 1946; 4:22 p. m.]

[RMPR 208, Revocation of Order 39]

TRENTON SHIRT MFG. CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Maximum Price Regulation 208, *It is ordered,* That subject to the provisions of Supplementary Order No. 40, Order No. 39 be, and it hereby is, revoked.

This revocation shall become effective April 18, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6577; Filed, Apr. 18, 1946; 4:21 p. m.]

[RMPR 208, Revocation of Order 40]

BLUE BELL, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Maximum Price Regulation 208, *It is ordered,* That subject to the provisions of Supplementary Order No. 40, Order No. 40 be, and it hereby is, revoked.

This revocation shall become effective April 18, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6578; Filed, Apr. 18, 1946; 4:21 p. m.]

[RMPR 208, Revocation of Order 42]

H. W. CARTER & SONS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Maximum Price Regulation 208, *It is ordered,* That subject to the provisions of Supplementary Order No. 40, Order No. 42 be, and it hereby is, revoked.

This revocation shall become effective April 18, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6579; Filed, Apr. 18, 1946; 4:21 p. m.]

[RMPR 528, Order 102]

B. F. GOODRICH CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528; *It is ordered:*

(a) The maximum retail prices for the following new sizes of Industrial Pneumatic tires manufactured by the B. F. Goodrich Company of Akron, Ohio, shall be:

UNIVERSAL HEAVY DUTY PNEUMATIC INDUSTRIAL TIRES

Size	Ply	Maximum retail price
6.00-9	8	Each \$38.05
6.00-9	10	44.30

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 19, 1946.

Issued this 18th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6580; Filed, Apr. 18, 1946; 4:22 p. m.]

[RMPR 136, Order 601]

ELECTRIC INDUSTRIAL CONTROL PRODUCTS
AUTHORIZATION OF ADJUSTABLE PRICING

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 23 of Revised Maximum Price Regulation 136, it is ordered:

(a) *Definition.* For the purposes of this order, the term "electrical industrial control products" shall mean all those devices listed, described, and defined under the heading, "Industrial Control Section", on pages 5 and 6, of the NEMA Manual, Volume 14, entitled "Products Scopes of NEMA Subdivisions as of January 31, 1946", published by the National Electrical Manufacturers Association, 155 East 44th Street, New York 17, New York, with the exception that the phrase numbered "9" on page 6 thereof shall be construed to read as follows:

9. Switch devices such as push button stations, limit switches, toggle switches, etc., intended to be connected in control circuits of industrial control apparatus.

and with the further exception that under the heading "And the Following Devices", on page 6 thereof, a new phrase numbered 5 shall be deemed to be included, as follows:

5. Electric Clutches.

(b) *Authorization for adjustable pricing.* Any seller of electrical industrial control products is authorized, subject to agreement with his buyer, to deliver such electrical industrial control products at a price which may be adjusted upward in accordance with the action to be taken by the OPA upon the request of the electrical industrial control products industry for a change in the maximum prices

of these commodities. Until final action is taken by the OPA with respect to the maximum prices of these products by way of an industry-wide increase or otherwise, the seller may not receive payment in excess of the maximum prices in effect at the time of delivery.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 24, 1946.

Issued this 19th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6631; Filed, Apr. 19, 1946; 11:51 a. m.]

[RMPR 528, Order 101]

TIRES AND TUBES, RECAPPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS
AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) Maximum retail prices for the following sizes of new tires, shall be:

Size	Ply	Type	Maximum retail price (each)
12.00-20	12	Mud and snow truck tire	\$142.85
	20	Truck and bus tire	221.55
	20	Mud and snow truck tire	230.40

(b) Maximum retail price for a new 6.00/6.25-16, 4-ply passenger car tire shall be \$17.10 each.

(c) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall be come effective April 24, 1946.

Issued this 19th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6643; Filed, Apr. 19, 1946; 11:53 a. m.]

[MPR 580, Order 296]

RAJAH FABRICS CO.

ESTABLISHING CEILING PRICES

Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-410.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles sold at wholesale by Rajah Fabrics Company, 450 Seventh Avenue, New York 1, New

York, having the brand name "Rajah," and described in the wholesaler's application dated November 26, 1945.

Article	Supplier's selling price (per yard)	Retail ceiling price (per yard)
Rajah Shantung (a textile fabric)	Light shades, \$0.7016 Medium shades, \$0.7274 Dark shades, \$0.7478	\$1.25

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after May 15, 1946, Rajah Fabrics Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket, stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)
OPA Price—\$-----

On and after June 15, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to June 15, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1946.

Issued this 19th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6644; Filed, Apr. 19, 1946; 11:52 p. m.]

[MPR 594, Amdt. 4 to Order 12]

HUDSON MOTOR CAR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 9b of Maximum Price Regulation 594; *It is ordered:*

Order 12, as amended, is amended in the following respects:

1. The percentage factor "89.59%" in subparagraph (1) of paragraph (d) is amended to read "81.25%".

2. Subparagraph (2) of paragraph (d) is amended to read as follows:

(2) *Extra or optional equipment.* A charge for each item of extra or optional equipment listed in paragraph (a) (2) (i) installed on the new automobile which shall not exceed the applicable list price in paragraph (a) (2) (i) less a discount thereon at rates no less than 85% of the discount rates in effect on January 1, 1941 to the applicable class of purchaser; except that, for any item of equipment in the following schedule, the percentage to be applied to the discount rate shall be the respective percentage in the schedule:

Rates schedule:	Percentage
Overdrive.....	83.93
Vacumotive.....	83.93
Weathermaster.....	90.46

This amendment shall become effective April 19, 1946.

Issued this 19th day of April 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-6648; Filed, Apr. 19, 1946;
11:52 a. m.]

Regional and District Office Orders.

[Region VI Order G-67 Under MPR 329]

FLUID MILK IN CHICAGO REGION

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (f) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices for purchases of fluid milk from producers for resale for human consumption, established under Maximum Price Regulation No. 329 or any order or regulation of the Office of Price Administration may be increased in an amount not to exceed 20¢ per cwt, *Provided*, That in no event may such increase result in a maximum price in excess of \$3.15 per cwt for milk of 3.5% butterfat content, or the equivalent thereof.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Region VI of the Office of Price Administration consisting of the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota and Wisconsin and the County of Lake in Indiana.

(c) *Relation of this order to Office of Price Administration regulations or orders.* Except as modified by this order, the provisions of Maximum Price Regulation No. 329, or any other applicable order or regulation of the Office of Price Administration issued thereunder, shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during January 1943.

(d) *Definitions.* Unless the context otherwise requires the definitions set forth in Maximum Price Regulation No.

329, the Emergency Price Control Act of 1942, as amended and any other applicable order or regulation of the Office of Price Administration, shall be applicable to the terms used herein.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Department of Agriculture.

This order shall be effective April 19, 1946.

Issued April 18, 1946.

RAE E. WALTERS,
Regional Administrator.

Approved: April 17, 1946.

H. L. FOREST,
Acting Director, Dairy Branch
Production and Marketing
Administration, U. S. Department of Agriculture.

CHESTER BOWLES,
Director, Office of Economic
Stabilization.

[F. R. Doc. 46-6583; Filed, Apr. 18, 1946;
4:23 p. m.]

[Region VI Order G-113 Under SR 15 and
MPR 280]

FLUID MILK IN CHICAGO REGION

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (b) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum wholesale and retail prices.* Maximum prices for sales of fluid milk at wholesale and retail in glass or paper containers, and for sales in bulk to stores, hotels and restaurants which are less than 11¢ a quart at wholesale, 13¢ a quart at retail and 41¢ a gallon in bulk, may be increased ½¢ a quart, 1¢ a half gallon and 2¢ a gallon where a distributor's maximum price for purchases of milk from producers for resale as fluid milk has been increased by more than 15¢ per cwt. under the provisions of Regional Order G-67 under Maximum Price Regulation No. 329.

(b) *Applicability.* Maximum prices established by paragraph (a) of this order shall apply to all sales pursuant to which physical delivery is made within the geographic limits of Region VI, consisting of the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin and the County of Lake in Indiana and shall apply to all sales by resellers whose suppliers maximum prices have been increased by this order.

(c) *Multiple unit sales.* Where because of the increases permitted by paragraph (a) of this order a maximum price results in a price expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery

sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation, or any other regulation or order shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulation or orders.

(e) *Revocability.* The order may be revoked, amended or corrected at any time.

This order has been approved by the Department of Agriculture.

The order shall become effective April 19, 1946.

Issued April 18, 1946.

RAE E. WALTERS,
Regional Administrator.

Approved: April 17, 1946.

H. L. FOREST,
Acting Director, Dairy Branch,
Production and Marketing
Administration, U. S. Department of Agriculture.

CHESTER BOWLES,
Director, Office of Economic
Stabilization.

[F. R. Doc. 46-6584; Filed, Apr. 18, 1946;
4:23 p. m.]

[Region IV SO 3 to Order G-37 Under
RMFR 122]

SOLID FUELS IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122; it is ordered:

(a) On and after the effective date of this order, an addition to the maximum prices for coal sold in less than car-lots f. o. b. the seller's yard to persons other than resellers and sold on a delivered basis to persons other than resellers, established by any adopting order issued under Order No. G-37 under Revised Maximum Price Regulation No. 122, issued by this office on April 4, 1945, may be made in the following amounts: 10¢ per ton, 5¢ per one-half ton, and 3¢ per one-quarter ton. No increase may be added to maximum prices for sales to resellers.

(b) Supplementary Order No. 2 is hereby revoked as of the effective date of this order.

(This order does not grant price increases in addition to those allowed by Supplementary Order No. 2 but merely continues them in effect.)

Effective date. This supplementary order shall become effective March 20, 1946.

Issued: April 1, 1946.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 46-6522; Filed, Apr. 17, 1946;
4:25 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register April 10, 1946.

Region I

Hartford Order 5-F, Amendment 51, covering fresh fruits and vegetables in Waterbury and Watertown, Connecticut. Filed 9:23 a. m.

Hartford Order 6-F, Amendment 51, covering fresh fruits and vegetables in the Hartford Area, Connecticut. Filed 9:23 a. m.

Hartford Order 7-F, Amendment 51, covering fresh fruits and vegetables in the New Haven Area, Connecticut. Filed 9:28 a. m.

Hartford Order 8-F, Amendment 51, covering fresh fruits and vegetables in the Bridgeport Area, Connecticut. Filed 9:28 a. m.

Hartford Order 9-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 9:56 a. m.

Region II

Albany Order 3-C, Amendment 3, covering poultry in Albany, Schenectady and Rensselaer counties in New York. Filed 9:57 a. m.

Albany Order 13-F, Amendment 10, covering fresh fruits and vegetables in certain cities and the town of Green Island in New York. Filed 9:57 a. m.

Albany Order 4-O, covering eggs in certain counties in New York. Filed 9:58 a. m.

Albany Order 5-O, covering eggs in certain counties in New York. Filed 9:57 a. m.

Baltimore Order 3-C, Amendment 3, covering poultry in certain areas in Maryland. Filed 9:08 a. m.

Baltimore Order 11-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Maryland. Filed 9:06 a. m.

Baltimore Order 12-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Maryland. Filed 9:08 a. m.

Baltimore Order 7-O, Amendment 7, covering poultry in certain areas in Maryland. Filed 9:09 a. m.

D. C. Order 8-C, Amendment 3, covering poultry in certain areas in Virginia, Maryland and in the District of Columbia. Filed 9:06 a. m.

D. C. Order 6-F, Amendment 10, covering fresh fruits and vegetables in certain areas in the District of Columbia, Virginia, and Maryland. Filed 9:57 a. m.

D. C. Order 15, Amendment 3, covering dry groceries in the Washington, D. C. Area. Filed 9:05 a. m.

D. C. Order 7-W, Amendment 5, covering dry groceries in the Washington, D. C. Area. Filed 9:06 a. m.

Newark Order 8-F, Amendment 11, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:12 a. m.

New York Order 14-F, Amendment 10, covering fresh fruits and vegetables in

the five Boroughs of New York City. Filed 9:11 a. m.

New York Order 15-F, Amendment 10, covering fresh fruits and vegetables in Nassau and Westchester counties in New York. Filed 9:11 a. m.

New York Order 16-F, Amendment 10, covering fresh fruits and vegetables in certain counties in New York. Filed 9:12 a. m.

New York Order 8-O, covering eggs in zones 11, 12, 13, 14, 15. Filed 9:10 a. m.

Philadelphia Order 13-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:13 a. m.

Philadelphia Order 14-F, Amendment 10, covering fresh fruits and vegetables in the city and county of Philadelphia, Pennsylvania. Filed 9:13 a. m.

Philadelphia Order 15-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:13 a. m.

Philadelphia Order 16-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:14 a. m.

Pittsburgh Order 23, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 9:14 a. m.

Pittsburgh Order 23, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 9:15 a. m.

Pittsburgh Orders 25, 72, Amendment 2, covering dry groceries in the counties of Erie, Crawford, Mercer, Clarion, Forest, Venango, and Warren, Pennsylvania. Filed 9:15 a. m.

Pittsburgh Order 26, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 9:15 a. m.

Pittsburgh Order 27, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 9:16 a. m.

Pittsburgh Orders 28, 8-W, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 9:16 a. m.

Pittsburgh Order 30, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 9:16 a. m.

Pittsburgh Order 31, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 9:17 a. m.

Syracuse Order 4-C, Amendment 4, covering poultry in certain areas in New York. Filed 9:19 a. m.

Syracuse Order 5-C, Amendment 3, covering poultry in Broome and Tioga counties in New York. Filed 9:19 a. m.

Syracuse Order 5-F, Amendment 11, covering fresh fruits and vegetables in certain counties in New York. Filed 9:17 a. m.

Syracuse Order 6-F, Amendment 11, covering fresh fruits and vegetables in certain areas in New York. Filed 9:18 a. m.

Syracuse Order 7-F, Amendment 8, covering fresh fruits and vegetables in certain areas in New York. Filed 9:18 a. m.

Syracuse Order 1-O, Amendment 7, covering eggs in certain areas in New York. Filed 9:19 a. m.

Syracuse Order 2-O, Amendment 7, covering eggs in Broome and Tioga counties in New York. Filed 9:20 a. m.

Region III

Charleston Order 10-W, Amendment 10, covering dry groceries in all counties in Virginia. Filed 9:21 a. m.

Region IV

Birmingham Order 1-C, Amendment 21, covering poultry in certain counties in Alabama. Filed 9:21 a. m.

Birmingham Order 2-C, Amendment 22, covering poultry in certain counties in Alabama. Filed 9:22 a. m.

Birmingham Order 4-C, Amendment 4, covering poultry in Baldwin and Mobile counties in Alabama. Filed 9:22 a. m.

Birmingham Order 5-C, Amendment 3, covering poultry in Baldwin and Mobile counties in Alabama. Filed 9:22 a. m.

Region VII

Albuquerque Order 31-C, Amendment 13, covering poultry in the Albuquerque Area. Filed 9:59 a. m.

Albuquerque Order 8-F, Amendment 53, covering fresh fruits and vegetables in the Albuquerque Area. Filed 9:58 a. m.

Albuquerque Order 8-F, Amendment 54, covering fresh fruits and vegetables in the Albuquerque Area. Filed 9:58 a. m.

Albuquerque Order 38-O, Amendment 12, covering eggs in the Albuquerque, New Mexico, Area. Filed 9:59 a. m.

Boise Order 5-F, Amendment 31, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:02 a. m.

Boise Order 5-F, Amendment 34, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:02 a. m.

Boise Order 5-F, Amendment 35, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:02 a. m.

Boise Order 5-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:02 a. m.

Boise Order 5-F, Amendment 37, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:02 a. m.

Boise Order 5-F, Amendment 38, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:03 a. m.

Boise Order 6-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:03 a. m.

Boise Order 7-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Idaho and Oregon. Filed 10:03 a. m.

Boise Order 49, covering dry groceries in certain areas in Idaho. Filed 10:03 a. m.

Boise Order 50, covering dry groceries in certain areas in Idaho and Oregon. Filed 10:03 a. m.

Boise Order 51, covering dry groceries in certain areas in Idaho. Filed 10:04 a. m.

Boise Order 52, covering dry groceries in certain areas in Idaho. Filed 10:04 a. m.

Boise Order 53, covering dry groceries in certain areas in Idaho and Oregon. Filed 10:04 a. m.

Boise Order 23-W, covering dry groceries in the Boise City Area. Filed 10:04 a. m.

Boise Order 24-W, covering dry groceries in Idaho Falls, Pocatello and Twin Falls, Idaho. Filed 10:04 a. m.

Denver Order 3-C, Amendment 3, covering poultry in the Colorado Area. Filed 10:06 a. m.

Denver Order 4-C, Amendment 3, covering poultry in the Colorado Area. Filed 10:06 a. m.

Denver Order 5-C, Amendment 3, covering poultry in the Colorado Area. Filed 10:06 a. m.

Denver Order 6-C, Amendment 3, covering poultry in the Colorado Area. Filed 9:58 a. m.

Denver Order 7-C, Amendment 3, covering poultry in the Colorado Area. Filed 9:58 a. m.

Denver Order 8-C, Amendment 3, covering poultry in the Colorado Area. Filed 9:58 a. m.

Denver Order 4-F, Amendment 39, covering fresh fruits and vegetables in the Denver Area. Filed 10:04 a. m.

Denver Order 5-F, Amendment 39, covering fresh fruits and vegetables in the Pueblo Area. Filed 10:05 a. m.

Denver Order 6-F, Amendment 39, covering fresh fruits and vegetables in Colorado Springs and Manitou Area. Filed 10:05 a. m.

Denver Order 7-F, Amendment 39, covering fresh fruits and vegetables in Boulder, Fort Collins, Greeley Area. Filed 10:05 a. m.

Denver Order 8-F, Amendment 8, covering fresh fruits and vegetables in the Trinidad Area. Filed 10:05 a. m.

Denver Order 9-F, Amendment 2, covering fresh fruits and vegetables in the Grand Junction Area. Filed 10:05 a. m.

Denver Order 93, Amendment 5D, covering dry groceries in Denver, Colorado. Filed 10:05 a. m.

Denver Order 94, Amendment 6D, covering dry groceries in Denver, Colorado. Filed 10:06 a. m.

Region VIII

Los Angeles Order 3-F, Amendment 40, covering fresh fruits and vegetables in Los Angeles Metropolitan Area. Filed 9:59 a. m.

Los Angeles Order 4-F, Amendment 40, covering fresh fruits and vegetables in the San Bernardino-Riverside Area. Filed 9:59 a. m.

Los Angeles Order 4-F, Amendment 41, covering fresh fruits and vegetables in the San Bernardino-Riverside Area. Filed 9:59 a. m.

Los Angeles Order 5-F, Amendment 40, covering fresh fruits and vegetables in Santa Barbara, Ventura, and San Luis Obispo Areas. Filed 10:00 a. m.

Los Angeles Order 5-F, Amendment 41, covering fresh fruits and vegetables in Santa Barbara, Ventura, and San Luis Obispo Areas. Filed 10:00 a. m.

Los Angeles Order 6-F, Amendment 40, covering fresh fruits and vegetables in Santa Barbara, Ventura, and San Luis Obispo Areas. Filed 10:00 a. m.

Los Angeles Order 6-F, Amendment 41, covering fresh fruits and vegetables in Santa Barbara, Ventura, and San Luis Obispo Areas. Filed 10:00 a. m.

Los Angeles Order 7-F, Amendment 24, covering fresh fruits and vegetables in Bakersfield Area. Filed 10:00 a. m.

Los Angeles Order 7-F, Amendment 25, covering fresh fruits and vegetables in the Bakersfield Area. Filed 10:01 a. m.

Los Angeles Order 8-F, Amendment 21, covering fresh fruits and vegetables in the San Diego Metropolitan Area. Filed 10:01 a. m.

Los Angeles Order 8-F, Amendment 22, covering fresh fruits and vegetables in the San Diego Metropolitan Area. Filed 10:01 a. m.

Los Angeles Order 9-F, Amendment 20, covering fresh fruits and vegetables in the San Diego county with certain exceptions. Filed 10:01 a. m.

Los Angeles Order 9-F, Amendment 21, covering fresh fruits and vegetables in the San Diego county with certain exceptions. Filed 10:01 a. m.

Los Angeles Order 10-F, Amendment 20, covering fresh fruits and vegetables in Imperial county in California. Filed 10:01 a. m.

Los Angeles Order 10-F, Amendment 21, covering fresh fruits and vegetables in Imperial county in California. Filed 10:01 a. m.

Seattle Order 16-F, Amendment 34, covering fresh fruits and vegetables in Seattle, Tacoma, and Bremerton, Washington. Filed 10:06 a. m.

Seattle Order 17-F, Amendment 30, covering fresh fruits and vegetables in Bellingham and Everett, Washington. Filed 10:07 a. m.

Seattle Order 18-F, Amendment 31, covering fresh fruits and vegetables in Olympia, Aberdeen, Hoquiam, Centralia, and Chehalis, Washington. Filed 10:07 a. m.

Seattle Order 19-F, Amendment 28, covering fresh fruits and vegetables in certain areas in Washington. Filed 10:07 a. m.

Seattle Order 30, Amendment 14, covering dry groceries in certain counties in Washington. Filed 10:08 a. m.

Seattle Order 31, Amendment 16, covering dry groceries in certain counties in Washington. Filed 10:08 a. m.

Seattle Order 32, Amendment 14, covering dry groceries in certain counties in Washington. Filed 10:07 a. m.

Seattle Order 33, Amendment 15, covering dry groceries in certain counties in Washington. Filed 10:07 a. m.

Seattle Order 34, Amendment 13, covering dry groceries in the counties of Chelan, Kittitas, and Yakima, Washington. Filed 10:08 a. m.

Seattle Order 34, Amendment 14, covering dry groceries in specified areas in Central Washington. Filed 10:12 a. m.

Seattle Order 1-W, Amendment 21, covering dry groceries in certain counties in Washington. Filed 10:10 a. m.

Seattle Order 2-W, Amendment 17, covering dry groceries in the counties of Chelan, Kittitas, and Yakima, Washington. Filed 10:12 a. m.

Seattle Order 2-W, Amendment 18, covering dry groceries in certain areas in Washington. Filed 10:12 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-6534; Filed, Apr. 17, 1946; 4:22 p. m.]

[Region II Adopting Order 1 Under Basic Order 1 Under RMPR 251, Amdt. 1.]

INSTALLED RE-SIDING AND RE-ROOFING AND RELATED AND INCIDENTAL CONSTRUCTION WORK IN PHILADELPHIA, PA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by section 9 of Revised Maximum Price Regulation No. 251 as amended, and by Revised Procedural Regulation No. 1; *It is hereby ordered:*

(a) Adopting Order No. 1 under Basic Order No. 1 under section 9 of Revised Maximum Price Regulation 251, issued November 8, 1945, and effective November 22, 1945, is hereby amended by adding to Table 2, Re-roofing Prices, the following:

Asbestos Re-roofing Shingles, 30 inches wide and 14" Headlap, \$29.00 per square.

(b) Said order is hereby further amended by adding to Table 1 under the heading Re-Siding Accessories for which extra charges may be made as stated below, the following:

Metal water table (overhead of windows and doors) 48¢ per lineal foot. Metal window and door flashings (on sides of windows and doors), 40¢ per lineal foot.

(c) Except as hereby amended, Adopting Order No. 1 under Basic Order No. 1 under section 9 of Revised Maximum Price Regulation 251 shall remain the same and all provisions thereof shall remain applicable.

This amendment shall become effective immediately.

Issued this 15th day of April 1946.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 46-6514; Filed, Apr. 17, 1946; 4:23 p. m.]

[Region I Order G-6 Under Gen. Order 63]

HARD BUILDING MATERIALS IN MAINE

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, as amended, it is ordered:

SECTION 1. *What this order covers.* This order covers all "retail sales" of the hard building materials listed in the appendices (hereinafter set forth and made part hereof) by any seller in the State of Maine. For the purposes of this order a "retail sale" means a sale to an ultimate user, or a sale to a purchaser for resale on an installed basis.

SEC. 2. *Maximum prices, discounts and allowances, etc.* (a) The prices for the hard building materials set forth in the price table or tables of each appendix shall be the maximum prices for "retail sales" of such materials made in the area covered by that appendix.

(b) Maximum prices established by this order for retail sales in each area shall be subject to the discount for cash specified in the appendix applicable to

that area. In addition to such required cash discount, the seller shall continue to grant such further discounts, allowances, differentials, and terms as were in effect for such seller during March, 1942.

(c) Maximum prices established by this order may be modified for sales by "mail order" firms in the manner provided for in subparagraph (f) of General Order 68, as amended.

SEC. 3. Delivery. The maximum prices fixed in the appendices of this order include free delivery by the seller within the radius specified in each appendix. However, where a seller's free delivery zone during March, 1942, extended a greater distance than specified in the applicable appendix, he shall continue to maintain his March, 1942, free delivery zone. Transportation charges may be added for deliveries beyond the free delivery radius or zone, as the case may be, at the rates, or computed by the methods, customarily charged or used by the seller during March, 1942. In case of an isolated sale of a small quantity of an item listed in an appendix, the seller may maintain his customary delivery practices relating to such sales which he used in March, 1942.

SEC. 4. Posting of maximum prices. Every seller making sales covered by this order shall post in his customary place of business, in a manner plainly visible to all purchasers, a copy of the appendix applicable to the area in which that place of business is located. The term "customary place of business" means the location where the materials are generally stored and available for delivery.

SEC. 5. New sellers. In addition to the requirements for delivery as set forth in section 3 and in addition to the requirement to grant the cash discount specified in the applicable appendix, a seller who was not engaged in the retail sale of hard building materials during March, 1942, must

(a) Grant the further discounts, allowances, differentials, and terms as were in effect during March, 1942, for his most closely competitive seller of the same class;

(b) Use the same delivery practices, delivery rates and methods of computing such rates as were in effect for such competitor during that period.

SEC. 6. Sales slips and records. (a) For any sale of \$50.00 or more, each seller (regardless of previous custom) must keep records so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing the following:

1. Name and address of buyer;
2. Date of transaction;
3. Place of delivery;
4. Complete description of each item sold and price charged.

(b) Every seller covered by this order shall give to the purchaser a sales slip, receipt or other evidence of purchase showing the name and address of the seller, the date of purchase, a description, quantity and the price of each item sold; the said description to be in detail sufficient to determine whether the price charged has been properly computed

under this order. However, in the case of sales amounting to less than a total of \$5.00, only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare the sales slips, receipts, or other evidence of purchase, hereinbefore described, in duplicate, and he must keep a duplicate copy for at least one year after delivery.

(c) Each seller who was in business in March 1942 shall keep records or other satisfactory evidence showing his delivery practices, delivery rates, methods of computing such rates, further discounts, allowances, differentials and terms as were in effect for him during March 1942. A new seller shall obtain and keep such records or other satisfactory evidence from his most closely competitive seller of the same class. If a new seller is unable to ascertain or obtain from his most closely competitive seller such records or evidence, he may apply to his nearest Price Control Board or to the Augusta, Maine District Office for assistance to obtain the required information.

(d) All records, copies of invoices and other evidence required to be kept by this section shall be made available for inspection by representatives of the Office of Price Administration during ordinary business hours at the seller's place of business.

SEC. 7. Relation to other regulations. The maximum prices fixed by this order supersede any maximum prices or pricing methods previously fixed by any other order or regulation issued by the Office of Price Administration. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation and Maximum Price Regulations 466 or 592 shall apply to sales covered by this order.

SEC. 8. Evasion. The price limitations of this order shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodities covered by this regulation or by way of commissions, services, transportation, or other charges, or by tying agreement or other trade understanding, or by making the terms and conditions of the sale more onerous to buyers than they were in March, 1942.

SEC. 9. Enforcement. Persons violating any provisions of this Order are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses, provided by the Emergency Price Control Act of 1942 as amended.

SEC. 10. Amendment. This order may be modified, amended, revised or revoked at any time by the Office of Price Administration.

This order shall become effective April 18, 1946.

Issued this 8th day of April 1946.

ELDON C. SHOUP,
Regional Administrator.

APPENDIX A—MAXIMUM PRICES FOR "RETAIL SALES" OF SPECIFIED HARD BUILDING MATERIALS

1. *Area covered.* The State of Maine, with the exception of Aroostook County, Washington County, the townships of Millinocket and East Millinocket in Penobscott County, and the townships of Milo, Guilford and Greenville in Piscataquis County.

2. Free delivery must be made within a radius of 10 miles of seller's customary place of business except as otherwise provided. (See sections 3 and 6 (c))

3. A discount of 2% for payment within 10 days of date of sale must be granted. A seller's March, 1942 further discounts, allowances, differentials and terms must be maintained. (See section 2 (b) and section 6 (c))

4. *New sellers.* In addition to the requirements in paragraphs 2 and 3 above, a new seller must (a) grant the further discounts, allowances, differentials, and terms as were in effect during March, 1942, for his most closely competitive seller of the same class, and (b) use the same delivery practices, rates, and methods of computing rates in effect for such competitor during that period. (See sections 5 and 6 (c).)

5. Table 1—Maximum prices.

Item No.	Description of commodity	Unit	Maximum price
1	Plaster, hard wall.....	100-lb. bag.....	\$1.15
		Ton.....	18.60
2	Plaster, gauging.....	100-lb. bag.....	1.65
3	Plaster, moulding.....	100-lb. bag.....	1.60
4	Plaster, bonding.....	100-lb. bag.....	1.68
5	Keene's cement.....	100-lb. bag.....	2.50
6	Finishing lime.....	50-lb. bag.....	.75
		Ton.....	24.00
7	Gypsum lath, 3/8".....	1,000 sq. ft.....	27.75
8	Metal lath, 2.5 lb. painted diamond mesh.....	Square yard.....	.22
9	Metal lath, 3.4 lb. painted diamond mesh.....	do.....	.278
10	Metal lath, 2.75 lb. flat rib, painted.....	do.....	.27
11	Metal lath, corner bead, expanded type.....	Lineal ft.....	.05
12	Portland cement, standard paper bags.....	94-lb. bag.....	.95
13	Masonry mortar (paper sacks).....	65-lb. bag.....	.85
14	Mason's hydrated lime.....	50-lb. bag.....	.65
15	Concrete block, 8" x 8" x 16" (sand).....	Block.....	.30
16	Fire clay.....	100-lb. bag.....	1.75
17	Gypsum wallboard 3/8".....	1,000 sq. ft.....	40.00
		Sq. ft.....	.045
18	Gypsum wallboard, 1/2".....	1,000 sq. ft.....	45.00
19	Asphalt roofing, 90 lb. mineral surface.....	108 sq. ft. roll.....	2.58
20	Asphalt or tarred felt, 15 lb.....	432-ft. roll.....	2.58
21	Asphalt or tarred felt, 30 lb.....	216-ft. roll.....	2.58
22	Asphalt shingles (3 in line) 210 lbs. thick butt.....	Square.....	5.90
23	Asphalt shingles, 165 lbs. (standard) hexagon.....	Square.....	5.15
24	Fibre insulation board 3/2" standard lath and board.....	1,000 sq. ft.....	45.00
		Sq. ft.....	.047
25	Fibre insulation board 2 5/8" asphalt sheathing.....	1,000 sq. ft.....	65.00
26	Asbestos cement siding 12" x 24" or 12" x 27", standard colors.....	Square.....	7.70
27	Standard density synthetic fibre board 3/8" (4 x 8).....	1,000 sq. ft.....	90.00
		Sq. ft.....	.104
28	Hard density synthetic fibre board, 3/8" (tempered—standard size).....	1,000 sq. ft.....	95.00
		Sq. ft.....	.10
29	Thermal insulation—mineral slag wool blankets (paper backed), single 1".....	1,000 sq. ft.....	48.00
30	Thermal insulation—mineral slag wool blankets (paper backed) thick.....	1,000 sq. ft.....	65.00
31	Thermal insulation—mineral slag wool blankets (paper backed) medium.....	1,000 sq. ft.....	48.00
		Sq. ft.....	.053

Item No.	Description of commodity	Unit	Maximum price
32	Thermal insulation—mineral slag wool batts (paper-backed) 2" thick.	1,000 sq. ft. Sq. ft.	\$46.00 .051
33	Thermal insulation—mineral slag wool batts (paper-backed) full thick.	1,000 sq. ft.	65.00
34	Thermal insulation—mineral slag wool loose in bags (plain).	Ton 40-lb. bag	60.00 1.40
35	Thermal insulation—mineral slag wool loose in bags (modulated).	35-lb. bag 43-lb. bag	1.40 1.60

APPENDIX B—MAXIMUM PRICES FOR "RETAIL SALES" OF SPECIFIED HARD BUILDING MATERIALS

1. *Area covered.* The following Counties and Townships in the State of Maine: Aroostook County, Washington County,

The Townships of Millinocket and East Millinocket in Penobscott County, and The Townships of Milo, Guilford and Greenville in Piscataquis County.

2. Free delivery must be made within a radius of 10 miles of seller's customary place of business except as otherwise provided. (See sections 3 and 6 (c))

3. No specified cash discount is required. However, each seller's March, 1942 discounts, allowances, differentials and terms must be maintained. (See section 2 (b) and section 6 (c))

4. A new seller must grant the discounts, allowances, differentials and terms as were in effect during March, 1942, for his most closely competitive seller of the same class. He shall also use the delivery practices, rates and methods of computing rates in effect for such competitor during that period for deliveries on which charges are permitted to be made. (See sections 5 and 6 (c))

5. *Table 1—Maximum prices.*

Item No.	Description of commodity	Unit	Maximum price
1	Plaster, hard wall	100-lb. bag	\$1.70
2	Plaster, gauging	100-lb. bag	2.15
3	Finishing lime	50-lb. bag	1.00
4	Gypsum lath, 3/8"	1,000 sq. ft.	35.50
5	Portland cement	94-lb. bag	1.10
6	Masonry mortar (paper sacks)	65-lb. bag	1.05
7	Mason's hydrated lime	50-lb. bag	.80
8	Concrete block 8" x 8" x 16" (sand)	Block	.40
9	Fire clay	100-lb. bag	3.00
10	Synsum, wall board 3/8"	1,000 sq. ft.	45.00
11	Asphalt roofing, 90 lb. mineral surface	Sq. ft.	.05
12	Asphalt or tarred felt 15 lb.	108 sq. ft.	3.09
13	Asphalt or tarred felt 30 lb.	432 ft. roll	3.00
14	Asphalt shingles (3 in line) 210 lbs. thick butt.	216 ft. roll	3.00
15	Asphalt shingles 165 lb. (standard) hexagon.	Square	6.00
16	Fibre insulation board, 1/2" standard lath and board.	Square	5.15
17	Fibre insulation board, 2 1/2" asphalt sheathing.	1,000 sq. ft.	45.00
18	Asbestos cement siding 12" x 24" or 12" x 27" standard colors.	Sq. ft.	.047
19	Thermal insulation—Mineral slag wool batts (paper backed) 2" thick.	1,000 sq. ft.	65.00
20	Thermal insulation—Mineral slag wool batts (paper backed) full thick.	1,000 sq. ft.	65.00

[F. R. Doc. 46-6517; Filed, Apr. 17, 1946; 4:24 p. m.]

[Region I Order G-7 Under Gen. Order 68]

HARD BUILDING MATERIALS IN CONNECTICUT

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, as amended, it is ordered:

SECTION 1. What this order covers. This order covers all "retail sales" of the hard building materials listed in the Appendix A (hereinafter set forth and made part hereof) by any seller in the State of Connecticut. For the purposes of this order a "retail sale" means a sale to an ultimate user, or a sale to a purchaser for resale on an installed basis except that sales in quantities less than the smallest unit listed for any particular items shall not be covered by this order but shall remain under the applicable maximum price regulation or order.

SEC. 2. Maximum prices, discounts and allowances, etc. (a) The prices for the hard building materials set forth in Appendix A shall be the maximum prices for "retail sales" of such materials made in the area covered by this order.

(b) Each seller shall continue to grant such discounts, allowances, differentials, and terms as were in effect for such seller during March, 1942.

(c) Maximum prices established by this order may be modified for sales by "mail order" firms in the manner provided for in subparagraph (f) of General Order 68, as amended.

SEC. 3. Delivery. The maximum prices set forth in Appendix A include free delivery by the seller within the area or zone in which the seller provided free delivery service in March, 1942. Transportation charges may be added for deliveries beyond the free delivery zone, at the rates, or computed by the methods customarily charged or used by the seller during March, 1942.

SEC. 4. Posting of maximum prices. Every seller making sales covered by this order shall post in his customary place of business, in a manner plainly visible to all purchasers, a copy of the list of maximum prices contained in Appendix A. The term "customary place of business" means the location where the materials are generally stored and available for delivery. An additional copy of Appendix A is attached to this order and the required posting shall be accomplished by removing the second copy and posting it in a conspicuous place where it is plainly visible to all purchasers.

SEC. 5. New sellers. A seller who was not engaged in the retail sale of hard building materials during March 1942, must:

(a) Grant the discounts, allowances, differentials, and terms as were in effect during March 1942, for his most closely competitive seller of the same class, and

(b) Use the same delivery practices, delivery rates and methods of computing such rates as were in effect for such competitor during that period.

SEC. 6. Sales slips and records. (a) For any sale of \$50.00 or more, each seller (regardless of previous custom) must keep records so long as the Emergency

Price Control Act of 1942, as amended, remains in effect, showing the following:

1. Name and address of buyer;
2. Date of transaction;
3. Place of delivery;
4. Description of each item sold with sufficient detail to identify the item in Appendix A, and the quantity sold;
5. Price charged for each item.

(b) Every seller covered by this order shall give to the purchaser an invoice, sales slip, receipt or other evidence of purchase showing the name and address of the seller, the date of purchase, a description, quantity and the price of each item sold; the said description to be in detail sufficient to determine whether the price charged has been properly computed under this order. However, in the case of sales amounting to less than a total of \$5.00 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare the invoices, sales slips, receipts, or other evidence of purchase, hereinbefore described, in duplicate, and he must keep a duplicate copy for at least one year after delivery.

(c) Each seller who was in business in March, 1942, shall keep records or other satisfactory evidence showing his delivery practices, delivery rates, methods of computing such rates, further discounts, allowances, differentials and terms as were in effect for him during March, 1942. A new seller shall obtain and keep such records or other satisfactory evidence from his most closely competitive seller of the same class. If a new seller is unable to ascertain or obtain from his most closely competitive seller such records or evidence, he may apply to his nearest Price Control Board or to the Hartford, Connecticut District Office for assistance to obtain the required information.

(d) All records, copies of invoices and other evidence required to be kept by this section shall be made available for inspection by representatives of the Office of Price Administration during ordinary business hours at the seller's place of business.

SEC. 7. Relation to other regulations. The maximum prices fixed by this order supersede any maximum prices or pricing methods previously fixed by any other order or regulation issued by the Office of Price Administration. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation and Maximum Price Regulations 466 or 592 shall apply to sales covered by this order.

SEC. 8. Evasion. The price limitations of this order shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement sale, delivery, purchase or receipt of any commodities covered by this regulation or by way of commissions, services, transportation, or other charges, or by tying agreement or other trade understanding, or by making the terms and conditions of the sale more onerous to buyers than they were in March 1942.

SEC. 9. Enforcement. Persons violating any provisions of this order are subject to the criminal penalties, civil en-

forcement actions, suits for treble damages, and proceedings for revocation of licenses, provided by the Emergency Price Control Act of 1942 as amended.

SEC. 10. *Amendment.* This order may be modified, amended revised or revoked at any time by the Office of Price Administration.

This order shall become effective April 20, 1946.

Issued this 10th day of April 1946.

ELDON C. SHOUP,
Regional Administrator.

APPENDIX A—MAXIMUM PRICES FOR HARD BUILDING MATERIALS IN CONNECTICUT

[Covering all sales to ultimate consumers or to purchasers for resale on an installed basis]

Item No.	Description of commodity	Maximum price (subject to customary discounts and including delivery within the seller's customary free delivery zone)
1	Plaster, hard wall.....	\$0.97 per 100-lb. bag.
2	Plaster, gauging.....	\$1.62 per 100-lb. bag.
3	Plaster, moulding.....	\$1.57 per 100-lb. bag.
4	Keene's cement.....	\$2.60 per 100-lb. bag.
5	Finishing lime.....	\$0.68 per 100-lb. bag.
6	Gypsum lath, 3/4".....	\$26.25 per M sq. ft.
7	Metal lath, 2.2 lb. (painted diamond mesh).....	\$0.24 per sq. yd.
8	Metal lath, 2.5 lb. (painted diamond mesh).....	\$0.245 per sq. yd.
9	Galvanized metal lath (2.5 lb.).....	\$0.26 per sq. yd.
10	Metal lath 3.4 lb. (painted diamond mesh).....	\$0.29 per sq. yd.
11	Galvanized metal lath 3.4 lb.....	\$0.32 per sq. yd.
12	Metal lath 2.75 lb flat rib painted.....	\$0.29 per sq. yd.
13	Metal lath 3.4 lb. 3/8" high, rib painted.....	\$0.30 per sq. yd.
14a	Metal lath corner bead std. type.....	\$0.04 per lin. ft.
14b	Metal lath corner bead expanded type.....	\$0.05 per lin. ft.
15	Portland cement (paper bag).....	\$0.80 per 94-lb. bag.
16	Mason's hydrated lime (cold).....	\$0.85 per 94-lb. bag. \$0.565 per 50-lb. bag.
17	Waterproof cement.....	\$1.05 per 94-lb. bag.
18	Fire clay.....	\$1.60 per 100-lb. bag.
19	Gypsum wallboard 3/8".....	\$44.25 per 1,000 sq. ft.
20	Gypsum wallboard 1/2".....	\$44.64 per 1,000 sq. ft.
21	Asphalt roofing (90-lb. mineral surface).....	\$2.59 per roll
22	Asphalt tarred felt 15 lb.....	\$2.57 per roll.
23	Asphalt tarred felt 30 lb.....	\$2.57 per roll.
24	Asphalt shingles (210 lbs. 3 in 1 thick butt).....	\$6.18 per square.
25	Asphalt shingles (165 lbs. 2 tab).....	\$4.74 per square.
26	Fiber insulation board 3/4" std.....	\$51.50 per 1,000 sq. ft.
27	Fiber insulation board 2 5/8".....	\$64.00 per 1,000 sq. ft.
28	Asbestos cement siding 12" x 27"—5 std. colors.....	\$8.25 per 100 sq. ft.
29	Std. density synthetic fiber board.....	\$85.00 per 1,000 sq. ft.
30	Hard density fiber board 3/8" tempered.....	\$90.00 per 1,000 sq. ft.
31	Thermal insulation blankets (medium) (paper backed).....	\$48.00 per 1,000 sq. ft.
32	Thermal insulation blankets (single) (paper backed).....	\$42.00 per 1,000 sq. ft.
33	Thermal insulation blankets (thick) (paper backed).....	\$65.00 per 1,000 sq. ft.
34	Thermal insulation batts 2" thick (paper backed).....	\$45.00 per 1,000 sq. ft.
35	Thermal insulation batts full thick (paper backed).....	\$65.00 per 1,000 sq. ft.
36	Thermal insulation loose plain.....	\$1.30 per 40-lb. bag.
37	Thermal insulation (modulated).....	\$1.45 per 40-lb. bag. \$1.20 per 35-lb. bag.

¹For sales made in Hartford, Tolland, Windham, and Litchfield Counties only.

[F. R. Doc. 46-6518; Filed, Apr. 17, 1946; 4:24 p. m.]

[New Orleans Order G-1 Under Gen. Order 68]
BUILDING MATERIALS IN ORLEANS, JEFFERSON, AND ST. BERNARD PARISHES, LA.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, it is hereby ordered:

SECTION 1. *What this order does.* This order establishes maximum prices for all retail sales of certain building materials specifically described in Appendix A of this order when such sales are made in the geographical area comprising Orleans, Jefferson and St. Bernard Parishes, Louisiana.

SEC. 2. *Definition of retail sales.* The term retail sale as used in this order means any sale of the building materials covered by this order to an ultimate user or to a contractor who will resell the same on an installed basis.

SEC. 3. *Maximum prices.* Maximum prices for commodities subject to this order are those set forth in Appendix A, which is specifically made a part of this order, subject to the terms and conditions of sale and other limitations set forth therein.

SEC. 4. *Relation of this order to other regulations.* The maximum prices fixed by this order supersedes any maximum prices or price determining method previously established by any other regulation or order issued by the Office of Price Administration for the commodities covered by this order.

SEC. 5. Each seller making sales subject to this order shall post a copy of Appendix A of this order plainly visible to all purchasers in each of his places of business located in the area covered by this order.

SEC. 6. *Invoices and notification.* Each seller making sales subject to this order shall, if requested by any purchaser of commodities subject hereto, make available to such purchaser for inspection a copy of this order. Each seller covered by this order is required to furnish each purchaser with an invoice at the time of sale, which must contain the following information:

1. Name and address of the purchaser.
2. A description of each commodity sold.
3. The quantity of each commodity sold.
4. The price charged for each commodity sold.
5. The type of sale, whether f. o. b. railroad car, f. o. b. seller's yard or store, delivered to job site in free delivery area, or delivered outside free delivery area.
6. If delivery is made outside the seller's free delivery zone, the amount of any delivery charges made stated separately on the invoice.
7. A statement of cash discounts allowed for prompt payment.

Each seller is required to keep a duplicate of such invoice in his place of business, and make it available for inspection by the Office of Price Administration during regular business hours.

This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective January 21, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at New Orleans, Louisiana, this 18th day of January 1946.

GILBERT J. FORTIER,
District Director.

APPENDIX A

[Maximum prices for all retail sales of specified building materials when sold in Orleans, Jefferson, and St. Bernard Parishes, La.]

Categories and Items	List prices	Cash prices 10 days	Cash prices 15th prox
A. Plaster, delivered to job site, per ton, including 15¢ deposit per sack if sacked in cloth:			
1. Hardwall plaster, 100# paper sacks.....	\$25.05	\$24.13	\$24.65
2. Gauging plaster.....	31.85	29.63	30.25
3. Moulding and finishing plaster, 100# paper sacks.....	31.85	29.63	30.25
4. Keene's cement, 100# paper sacks.....	41.30	38.41	39.23
B. Lime, delivered to job site:			
5. Finishing lime, 50# paper sacks, per bag.....	.82	.76	.78
6. Common lump, bbls or drums, per bbl or drum.....	3.15	2.93	2.99
C. Metal lath, per square yard, delivered to job site:			
7. 2.2# painted diamond mesh.....	.24	.22	.23
8. 2.5# painted diamond mesh.....	.26	.24	.25
9. 3.0# painted diamond mesh.....	.27	.25	.26
10. 3.4# painted diamond mesh.....	.29	.27	.28
11. 3.0# 3/8" painted rib lath.....	.34	.32	.32
12. 3.4# 3/8" painted rib lath.....	.35	.33	.33
13. 4.0# 3/8" painted rib lath.....	.39	.36	.37
14. 2.2# diamond mesh copper bearing.....	.26	.23	.24
15. 2.5# diamond mesh copper bearing.....	.27	.25	.26
16. 3.0# diamond mesh copper bearing.....	.28	.26	.27
17. 3.4# diamond mesh copper bearing.....	.31	.29	.29
18. 3.0# 3/8" copper bearing rib.....	.35	.33	.33
19. 3.4# 3/8" copper bearing rib.....	.37	.34	.35
20. 4.0# 3/8" copper bearing rib.....	.41	.38	.39
21. 2.5# galvanized diamond mesh.....	.29	.27	.28
22. 3.4# galvanized diamond mesh.....	.35	.33	.33
23. 3.4# 3/8" galvanized rib lath.....	.40	.37	.38
24. 3.0# 3/8" painted rib lath.....	.33	.31	.31
25. 3.4# 3/8" painted rib lath.....	.35	.33	.33
26. 3.0# 3/8" copper bearing rib.....	.35	.33	.33
27. 3.4# 3/8" copper bearing rib.....	.36	.33	.34
D. Cement, delivered to job site. Cloth bag prices include 10¢ deposit on sack:			
28. Portland cement, standard paper bags, per 94# bag.....	.77	.72	.73
29. Portland cement, cloth sacks, per bbl.....	3.35	3.12	3.18
30. Portland cement, paper sacks, per bbl.....	3.08	2.86	2.93
31. Mortar, masonry or lime, per 67# sack.....	.77	.72	.73
32. Waterproof cement, white, 94# sack, per sack.....	2.91	2.71	2.76
33. Magnolia or slag cement, cloth sack, per bbl.....	3.35	3.12	3.18
34. Magnolia or slag cement, paper sack, per bbl.....	3.08	2.86	2.93
35. Incon cement, paper sacks, per bbl.....	4.18	3.89	3.97
36. Magnolia Mason's mix, paper sacks, per bbl.....	3.08	2.86	2.93
E. Brick, delivered to job site:			
37. Common brick, per M.....	26.53	24.67	25.20
F. Hollow tile, delivered to job site, per M:			
38. 2" x 12" x 12" partition.....	131.67	122.45	125.09
39. 3" x 12" x 12" partition.....	131.07	122.45	125.09
40. 4" x 12" x 12" partition.....	138.03	128.37	131.13
41. 6" x 12" x 12" partition.....	188.94	175.71	179.49
42. 8" x 12" x 12" partition.....	261.14	242.86	248.08
43. 10" x 12" x 12" partition.....	356.27	331.33	338.46

APPENDIX A—Continued

Categories and items	List prices	Cash prices 10 days	Cash prices 15th prox
F. Hollow tile, delivered to job site, per M—Con.			
44. 12" x 12" x 12" partition	\$428.59	\$398.59	\$407.16
45. 2" x 12" x 12" split furring	79.25	73.70	75.29
46. 8" x 5" x 12" back up 2 or 3 cell	138.03	128.37	131.13
47. 4" x 5" x 12" back up 1 cell	79.25	73.70	75.29
48. 4" x 12" x 12" load bearing	185.91	172.90	176.61
49. 6" x 12" x 12" load bearing	260.00	241.80	247.00
50. 8" x 12" x 12" load bearing	280.41	260.78	266.39
51. 10" x 12" x 12" load bearing	411.89	383.06	391.30
52. 12" x 12" x 12" load bearing	485.91	451.90	461.61
53. Interlocking tile and fittings, 8" x 6 1/4" x 12"	138.03	128.37	131.13
Closure blocks, 1/4 price of 1 whole tile; starters and corners, 1/4 price of 1 whole tile; bonders, 3/4 price of 1 whole tile; 6 1/4 utility blocks, 1/2 price of 1 whole tile.			
G. Fire brick, delivered to job site, per M:			
54. 3400 degree	139.45	129.69	132.48
55. 3300 degree	113.65	105.69	107.97
56. 3100 degree	105.15	97.79	99.89
57. 2800 degree	79.00	73.47	75.05
H. Wallboard, delivered to job site, per M square feet:			
58. 1/2" gypsum board	62.50		
59. 3/8" gypsum board	56.25		
60. 3/8" plain or perforated gypsum lath	35.17		
61. 1/2" gypsum sheathing	50.00		
62. 3/4" gypsum sheathing, triple seal	59.37		
63. 1" gypsum siding	137.50		
64. 1" gypsum siding triple seal	143.75		
65. 1" gypsum roof sheathing	137.50		
66. 1" gypsum special roof unit	143.75		
67. 1 1/2" gypsum roof unit	187.50		
68. 2" gypsum roof unit	262.50		
69. 1 1/2" gypsum partition panel	200.00		
70. 1/2" insulation board 4' x 7', 8', 9', 10' and 12'	58.75		
71. 3/8" T & G asphalt coated sheathing	75.00		
72. 1/2" square edge asphalt coated sheathing	61.25		
73. 3/4" insulation board 4' x 6', 7', 9', 10' and 12'	43.75		
74. 1/2" insulation plaster base 18" x 48"	58.75		
75. 3/8" insulation decorative tiles, 12" x 12", 12" x 24", 16" x 16"	77.50		
76. 3/4" insulation decorative tiles, 16" x 32"	68.75		
77. 1/2" insulation planks (all sizes)	77.50		
78. 3/8" untempered hard board 4' wide x 2', 3' and 4'	62.50		
79. 3/8" untempered hard board 4' wide x 6', 8', 9', 10' and 12'	81.25		
80. 3/4" tempered hard board 4' wide x 2', 3' and 4'	87.50		
81. 3/4" tempered hard board 4' wide x 6', 8', 9', 10' and 12'	100.00		
82. 3/4" untempered hard board 4' wide x 6', 7', 9', 10' and 12'	100.00		
83. 3/4" tempered hard board 4' wide x 6', 7', 8', 9', 10' and 12'	118.75		
84. 3/4" untempered hard board 4' x 12"	137.50		
85. 3/4" tempered hard board 4' x 12"	156.25		
I. Roofing, per roll, delivered to job site:			
86. Asphalt mineral roofing, 90# per roll	2.25	2.20	
87. 1 ply, 35# per roll	1.21		
88. 2 ply, 45# per roll	1.37		
89. 3 ply, 55# per roll	1.81		
90. Slate surfaced, 90# per roll	2.47		

APPENDIX A—Continued

Categories and items	List prices	Cash prices 10 days	Cash prices 15th prox
J. Terra cotta pipe, delivered to job site, each:			
91. 4" pipe 2' lengths	\$0.20	\$0.19	\$0.19
92. 6" pipe 2' lengths	.30	.28	.29
93. 8" pipe 3' lengths	.50	.47	.48
94. 10" pipe 3' lengths	.70	.65	.67
95. 12" pipe 3' lengths	.90	.84	.86
96. 15" pipe 3' lengths	1.85	1.72	1.76
97. 18" pipe 3' lengths	2.58	2.40	2.45
98. 21" pipe 3' lengths	3.46	3.22	3.29
99. 24" pipe 3' lengths	4.44	4.13	4.22
100. 4" T's, Y's, curves and L's 2'	.90	.84	.86
101. 6" T's, Y's, curves and L's 2'	1.35	1.26	1.28
102. 8" T's and Y's 3'	2.73	2.54	2.59
103. 8" Curves and L's 3'	2.50	2.33	2.38
104. 10" T's and Y's 3'	3.83	3.56	3.64
105. 10" Curves and L's 3'	3.49	3.25	3.32
K. Masonite, delivered to job site, per M square feet:			
106. Presdwood, 4' x 6', 7', 8', 9', 10', 12' x 1 1/2"	78.00		
107. Presdwood, 4' x 6', 7', 8', 9', 10', 12' x 3/4"	96.00		
108. Presdwood, 4' x 12' x 3/4"	132.00		
109. Tempered presdwood, 4' x 6', 7', 8', 9', 10', 12' x 1 1/2"	96.00		
110. Tempered presdwood, 4' x 6', 7', 8', 9', 10', 12' x 3/4"	114.00		
111. Tempered presdwood, 4' x 12' x 3/4"	150.00		

1. Additions for delivery. Prices hereinabove set forth are applicable to both f. o. b. and delivered sales with the following exceptions:

(a) Deliveries necessitating crossing the Mississippi River, the prices hereinabove set forth may be increased by 10%.

(b) If delivery is made before 7:30 a. m. and after 4:30 p. m. on any regular business day, on holidays and days during which seller's establishment is not open for business, the following additions for delivery may be made:

(1) Sellers who were in business during 1942 are permitted to add to prices established hereinabove for such delivery the same charges that they had in effect during March 1942 for the same type and quantity of sale. If no extra charges were made for such delivery during March 1942, none may be added.

(2) Sellers who were not in business during March 1942 are permitted to make the same charge for such delivery which their most closely competitive seller is permitted to make under the provisions of this order.

2. Additions for the extension of credit. The following additions to the maximum prices hereinabove established may be made for the extension of credit beyond 60 days:

(a) Sellers who were in business during March 1942 are permitted to add to prices established hereinabove for the extension of credit beyond a period of 60 days the same additions that they had in effect during March 1942 for the same type and quantity of sale. If no extra charges were made for the extension of credit during March 1942, none may be added.

(b) Sellers who were not in business during March 1942 are permitted to make the same charge for the extension of credit which their most closely competitive seller is permitted to make under the provisions of this order.

[F. R. Doc. 46-6524; Filed, Apr. 17, 1946; 4:25 p. m.]

[Region VI Rev. Order G-1 Under Gen. Order 61]

USED LUMBER IN CHICAGO REGION

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region VI of the Office of Price Administration by General Order No. 61, it is hereby ordered:

ARTICLE I. COVERAGE OF THIS ORDER

SECTION 1. *Products, transactions and area covered.* This order applies to sales or purchases by any person of the categories of used lumber for which maximum prices are established in the appendices to this order, when made for delivery in Region VI of the Office of Price Administration, which is composed of the states of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Lake County in the state of Indiana.

Where delivery is made in areas outside of those described in the attached appendices and where no dollar and cents ceiling prices have been issued for such area under the authority of General Order 61, the maximum prices shall be those established for the area from which the stock is shipped. However, if an order has been issued under the authority of General Order 61 establishing dollar and cents ceiling prices for the area into which delivery is made, then the maximum prices shall be those established by such order.

The body of this order contains the general provisions which are applicable to all of the appendices hereto. The special provisions and specific prices applicable in particular areas are set forth in appendices hereto, each of which is issued as a part of this order. Insofar as any provisions contained in any appendix may be inconsistent with any provision contained in the body of this order, the provision contained in the appendix shall be controlling in the area governed by that appendix. Where the applicable appendix does not contain a maximum price for a kind of sale for a category of used lumber, the maximum price shall be determined by the appropriate provision of the applicable order or regulation issued by the Office of Price Administration.

ARTICLE II. DEFINITIONS

SEC. 2. *Used lumber.* Used lumber means lumber and lumber products which have been recovered from, and were at one time a part of, a building, structure or fabricated item made wholly or partially of lumber.

SEC. 3. *Categories of used lumber.* Maximum prices are established by this order for the categories of used lumber described below, including such lumber when run to standard or special patterns; but such descriptions are not intended to, and do not, include items customarily produced and sold as mouldings or mill-work.

(a) *Boards.* Used lumber of less than 2" nominal thickness.

(b) *Dimension.* Used lumber of 2" nominal thickness.

(c) *Planks or small timbers.* Used lumber of over 2" and up to and including 4" nominal thickness and of 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8".

(d) *Large timbers.* Used lumber of nominal sizes larger than 6" x 8" also nominal thicknesses of more than 2" when wider than 12".

(e) *Flooring.* Used hardwood lumber surfaced to approximately $\frac{3}{32}$ " thickness, and which has tongue and groove or other pattern commonly used for hardwood flooring.

(f) *Scrap lumber* is used lumber of any of the other categories described in this section which, because of defects in quality or deficiencies in size, does not meet the grade specifications in section 4.

SEC. 4. The following are the grades of used lumber for which maximum prices are established by this order:

(a) *Standard grade (or prime grade)* is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, generally free from loose or rotten knots, knot holes, and rot, and generally free from other defects which materially impair the strength of the pieces and will prevent its use for standard construction purposes. This grade may include pieces which are partly defective in some of the above respects provided at least two-thirds of each such piece is free from these defects in lengths of 5 feet or more and the aggregate footage containing such defects does not constitute more than 15 percent of the total footage in the individual sale. Standard grade (or prime grade) also includes used lumber from 4 feet in length to less than 5 feet in length which is 100 percent usable.

(b) *Reclaimed hardwood flooring* is used hardwood flooring of standard $\frac{3}{32}$ " thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of $\frac{1}{8}$ " in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue and not more than 25 percent of the lower surface representing the under part of the groove may be missing on any piece.

SEC. 5. *Person.* The term "person" includes any individual, corporation, partnership, association, or any other organized group of persons, or their legal successors or representatives; the United States, or any government, or any of its political subdivisions, or any agency of the foregoing.

SEC. 6. *Sale.* "Sale" includes a barter, exchange, lease, or transfer, and an agreement or offer to sell, barter, exchange, lease, or transfer.

SEC. 7. *Established yard.* Seller's established yard means premises occupied by the seller for the purpose of regularly and continually maintaining a stock of new and used lumber or used lumber alone customarily received from various unrelated sources of supply.

SEC. 8. *Other definitions.* (a) "Nominal thickness" or "nominal width"

means the thickness or width of the piece before planing. Actual thickness or width after planing to produce an even and uniform surface is generally $\frac{1}{4}$ " to $\frac{3}{8}$ " less than nominal thickness or width.

(b) "Cleaned" means lumber free of nails, bolts, and other foreign material.

(c) A "delivery" shall be deemed to have been made by the seller:

(1) For a sale f. o. b. dealer's yard or f. o. b. wrecking site, when the used lumber is loaded at the yard or wrecking site into a conveyance or carrier owned, controlled or hired by such purchaser.

(2) For a sale delivered to a location designated by the purchaser, when the used lumber is shipped by conveyance or carrier owned, controlled or hired by the seller and unloaded at the purchaser's designated site.

ARTICLE III. SPECIFIC REQUIREMENTS

SEC. 9. *Posting ceiling prices.* Every person selling used lumber for delivery in, or from stocks located in the area covered by this order shall obtain from the Office of Price Administration at least two copies of each appendix applicable to the geographical area in which the seller sells used lumber covered by this order. One copy of each appendix applicable to sales made by the seller must be posted and maintained in a prominent place at or near each location in the area where used lumber is offered for sale, in such manner that it can be easily read, and that purchasers can approach it within a distance of two feet. One other copy must be kept available so that it may be shown to and read by any customer at his request.

SEC. 10. *Sales slips and receipts.* Where a sale of used lumber is covered by this order and the total price of the sale is \$5.00 or more, the seller shall, regardless of his previous practice and whether or not requested by the buyer, give to such buyer a sales slip, bill, receipt, or other written evidence of the sale, setting forth the following:

1. Name and address of seller.
2. Buyer's name.
3. Place of delivery.
4. Location from which stock is sold (seller's yard or site other than seller's yard).
5. Description of items sold and itemized prices (in terms of categories, grades, lengths, quantities and any other specification affecting the price).
6. Total price.
7. Additions (for delivery or other extra).

SEC. 11. *Records and reports.* Every person who makes a sale of used lumber shall keep a record of such sale showing the name of the buyer and place of delivery, date of the sale, the grades sold, the quantities sold and the price charged in the same detail as required in section 10. Such records shall be kept for a period of 2 years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever be the shorter.

ARTICLE IV. PROHIBITED PRACTICES AND PENALTIES

SEC. 12. *Sale of used lumber at higher than maximum prices prohibited.* (a) On and after the effective date of this order, regardless of any contract or obli-

gation, no person shall make a sale, or delivery of used lumber of the varieties covered by this order and no person shall buy or receive such used lumber under a sale, at prices higher than the maximum prices fixed by this order; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 13. *Prohibited practices.* Any practice which is designed to get the effect of a higher than ceiling price is as much a violation of this order as a direct over-the-ceiling charge. Such practices include, but are not limited to, the following:

(a) Getting the effect of a higher price by changing the credit practices from what they were in March, 1942. This includes decreasing credit periods, or making greater charges for extension of credit.

(b) Refusing to sell except in small quantities, or with or without delivery under circumstances which bring the seller an extra return.

(c) Wrongly grading used lumber for which maximum prices are fixed in this order; or incorrectly or incompletely recording the information required by section 10 to be set forth on the sales slip, receipt or other evidence of sale.

(d) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(e) Charging, paying, or receiving a commission for the service of procuring, buying, selling, or locating used lumber covered by this order, or for any related service which does not involve actual physical handling of used lumber, if the commission plus the purchase price results in a total payment by the buyer for such used lumber which is higher than the maximum price permitted by this order. For the purpose of this order, a commission is any compensation, however designated, which is paid, wholly or in part, for the procurement of lumber, and which is based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

SEC. 14. *Penalties.* (a) Any person violating any provision of this order is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided for in the Emergency Price Control Act of 1942, as amended.

(b) Any person making a sale of used lumber covered by this order for which the total price is higher than \$5.00 and who either fails to give the buyer a sales slip, paid bill, receipt, or other evidence of sale, or although such document is given, fails to set forth in it the information required to be set forth by section 10 (so that a determination can be made as to whether or not the price charged was proper), shall be limited to making a charge of \$5.00 per M'BM for all lumber delivered under such sale. The application or enforcement of this provision to a sale or against a seller shall not exclude the application or enforcement

of the penalties provided in paragraph (a) of this section.

ARTICLE V. MAXIMUM PRICES

SEC. 15. Ceiling prices for any category of used lumber for which maximum prices are not fixed in this order are subject to the General Maximum Price Regulation.

SEC. 16. *Maximum prices.* The maximum prices set forth in the appendices attached hereto shall apply to all sales of used lumber of the categories covered by this order, when the used lumber, at the time the order is taken, is part of a stock at the seller's established yard, or is located at a wrecking site and delivery is made either at the yard or wrecking site or by truck or other conveyance within the area defined in section 1, above.

SEC. 17. *Additions for delivery.* (a) If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller may not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March, 1942, the seller may add a charge for delivery as follows:

(1) Where delivery is by common or contract carrier, the actual amount paid to the carrier by the seller may be charged.

(2) Where delivery up to 100 miles is by truck owned or controlled by the seller, the amount added for delivery may not be higher than 10 cents per M²BM for each mile to place of delivery but not for any part of the return trip. When truck delivery over 100 miles is to be made, the addition may not be more than 10 cents per M²BM for each mile from the point of origin to the nearest possible point of rail loading-out plus the amount of rail transportation from there to destination.

(3) A minimum charge of 75 cents may be made on any delivery where the permissible charges do not amount to 75 cents.

(c) If the buyer elects to take delivery at the site of the lumber or at the seller's established yard, no reduction in price shall be required for that reason.

SEC. 18. *Revocation of Order No. G-1 under General Order No. 61.* This order specifically revokes and supersedes in its entirety Order No. G-1 issued December 20, 1945, including appendices attached thereto under the authority of General Order No. 61.

This order may be amended, modified, or revoked at any time.

Issued this 20th day of March 1946.

This order shall become effective April 10, 1946.

R. E. WALTERS,
Regional Administrator.

APPENDIX A OF REVISED ORDER NO. G-1 ISSUED UNDER THE AUTHORITY OF GENERAL ORDER NO. 61

USED LUMBER—LEGAL MAXIMUM PRICES PER THOUSAND BOARD FEET

When sold for delivery in the following area: In the counties of Cook, Du Page, Kane, Lake, McHenry, and Will in the state

of Illinois, in the county of Milwaukee in the state of Wisconsin, in Lake County in the state of Indiana, and in the counties of Hennepin and Ramsey in the state of Minnesota.

Board, dimension, planks and timbers. When cleaned of nails, bolts and other foreign material.

	4 feet to 20 feet long	Over 20 feet
<i>Standard grade¹ (cleaned)</i>		
Boards (all widths less than 2" nominal thickness).....	\$45.00	\$47.00
Dimension (all widths 2" nominal thickness).....	48.00	50.00
Planks and small timbers (over 2" up to 4" nominal thickness, 12" or less nominal width; also nominal thickness over 4" up to and including 6" in all nominal widths up to and including 8").....	48.00	52.00
Large timbers (nominal sizes larger than 6" x 8"—also 2" when wider than 12").....	50.00	55.00
<i>Standard grade¹ (not cleaned)</i>		
Boards (as described above).....	35.00	37.00
Dimension (as described above).....	38.00	40.00
Planks and small timbers (as described above).....	38.00	42.00
Large timbers (as described above).....	40.00	45.00

Per M

board ft.

Reclaimed hardwood flooring²..... \$60.00

¹ Standard grade (or prime grade) is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, generally free from loose or rotten knots, knot holes, and rot, and generally free from other defects which materially impair the strength of the pieces and will prevent its use for standard construction purposes. This grade may include pieces which are partly defective in some of the above respects provided at least two-thirds of each such piece is free from these defects in lengths of 5 feet or more and the aggregate footage containing such defects does not constitute more than 15 percent of the total footage in the individual sale. Standard grade (or prime grade) also includes used lumber from 4 feet in length to less than 5 feet in length which is 100 percent usable.

² Reclaimed hardwood flooring is used flooring of standard $\frac{3}{4}$ " thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of $\frac{1}{8}$ " in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue and not more than 25 percent of the lower surface representing the under part of the groove may be missing on any piece.

Above prices apply when sold f. o. b. seller's yard or delivered within seller's free delivery zone.

For sales amounting in total for all items of less than \$10.00, the prices may be increased by 10 percent.

Deduct \$4.00 per thousand from above prices when sold f. o. b. wrecking site.

Scrap Lumber—Maximum price is \$5.00 per thousand board feet when sold for delivery either at the yard or the wrecking site.

APPENDIX B OF REVISED ORDER NO. G-1 ISSUED UNDER THE AUTHORITY OF GENERAL ORDER NO. 61

USED LUMBER—LEGAL MAXIMUM PRICES PER THOUSAND BOARD FEET

When sold for delivery in the following area: In the entire states of Iowa, North Dakota, South Dakota, Nebraska, and in all of the state of Illinois except the counties of Cook, Du Page, Kane, Lake, McHenry and Will (which are included in Appendix A), and in the counties in Wisconsin and Minnesota as listed below:

Wisconsin

Adams, Buffalo, Columbia, Crawford, Dane, Dodge, Fond du Lac, Grant, Green, Green Lake, Iowa, Jackson, Jefferson, Juneau, Kenosha, La Crosse, Lafayette, Marquette, Monroe, Ozaueke, Racine, Richland, Rock, Sauk, Sheboygan, Trempeleau, Vernon, Walworth, Washington and Waukesha.

Minnesota

Anoka, Big Stone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Houston, Jackson, Kandiyohi, Lac qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Swift, Wabasha, Waseca, Washington, Watonwan, Winona, Wright, and Yellow Medicine.

Board, dimension, planks and timbers. When cleaned of nails, bolts and other foreign material:

	4 feet to 20 feet long	Over 20 feet
<i>Standard grade¹ (cleaned)</i>		
Boards (all widths less than 2" nominal thickness).....	\$41.00	\$43.00
Dimension (all widths 2" nominal thickness).....	44.00	46.00
Planks and small timbers (over 2" up to 4" nominal thickness, 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8").....	44.00	48.00
Large timbers (nominal sizes larger than 6" x 8"—also 2" when wider than 12").....	46.00	51.00
<i>Standard grade¹ (not cleaned)</i>		
Boards (as described above).....	33.00	35.00
Dimension (as described above).....	36.00	38.00
Planks and small timbers (as described above).....	36.00	40.00
Large timbers (as described above).....	38.00	43.00

Per M

board ft.

Reclaimed hardwood flooring²..... \$55.00

¹ Standard grade (or prime grade) is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, generally free from loose or rotten knots, knot holes, and rot, and generally free from other defects which materially impair the strength of the pieces and will prevent its use for standard construction purposes. This grade may include pieces which are partly defective in some of the above respects provided at least two-thirds of each such piece is free from these defects in lengths of 5 feet or more and the aggregate footage containing such defects does not constitute more than 15 percent of the total footage in the individual sale. Standard grade (or prime grade) also includes used lumber from 4 feet in length to less than 5 feet in length which is 100 percent usable.

² Reclaimed hardwood flooring is used flooring of standard $\frac{3}{4}$ " thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of $\frac{1}{8}$ " in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue and not more than 25 percent of the lower surface representing the under part of the groove may be missing on any piece.

Above prices apply when sold f. o. b. seller's yard or delivered within seller's free delivery zone.

For sales amounting in total for all items of less than \$10.00, the prices may be increased by 10 percent.

Deduct \$3.00 per thousand from above prices when sold f. o. b. wrecking site.

Scrap Lumber—Maximum price is \$5.00 per thousand board feet when sold for delivery either at the yard or the wrecking site.

APPENDIX C OF REVISED ORDER NO. G-1 ISSUED UNDER THE AUTHORITY OF GENERAL ORDER NO. 61

USED LUMBER—LEGAL MAXIMUM PRICES FOR THOUSAND BOARD FEET

When sold for delivery in the following area: In the counties in the state of Wisconsin and in the state of Minnesota as shown below:

Wisconsin

Ashland, Barron, Bayfield, Brown, Burnett, Chippewa, Clark, Door, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, Kewaunee, Langlade, Lincoln, Marathon, Marinette,

Oconto, Oneida, Pepin, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Shawano, Taylor, Vilas, and Washburn.

Minnesota

Aitken, Becker, Beltrami, Benton, Carlton, Cass, Chisago, Clay, Clearwater, Cook, Crow Wing, Douglas, Grant, Hubbard, Isanti, Itasca, Kanabec, Kittson, Koochiching, Lake, Lake of the Woods, Mahanomen, Marshall, Mille Lacs, Morrison, Norman, Otter Tail, Pennington, Pine, Polk, Pope, Red Lake, Roseau, St. Louis, Sherburne, Stearns, Stevens, Todd, Traverse, Wadena, and Wilkin.

Board, dimension, planks and timbers.
When cleaned of nails, bolts and other foreign material:

	4 feet to 20 feet long	Over 20 feet
Standard grade¹ (cleaned)		
Boards (all widths less than 2" nominal thickness).....	\$35.00	\$37.00
Dimension (all widths 2" nominal thickness).....	38.00	40.00
Planks and small timbers (over 2" up to 4" nominal thickness, 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8").....	38.00	42.00
Large timbers (nominal sizes larger than 6" x 8"—also 2" when wider than 12").....	40.00	45.00
Standard grade¹ (not cleaned)		
Boards (as described above).....	27.00	29.00
Dimension (as described above).....	30.00	32.00
Planks and small timbers (as described above).....	30.00	34.00
Large timbers (as described above).....	32.00	37.00

Reclaimed hardwood flooring²..... *Per M board ft.* \$50.00

¹ Standard grade (or prime grade) is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, generally free from loose or rotten knots, knot holes, and rot, and generally free from other defects which materially impair the strength of the pieces and will prevent its use for standard construction purposes. This grade may include pieces which are partly defective in some of the above respects provided at least two-thirds of each such piece is free from these defects in lengths of 5 feet or more and the aggregate footage containing such defects does not constitute more than 15 percent of the total footage in the individual sale. Standard grade (or prime grade) also includes used lumber from 4 feet in length to less than 5 feet in length which is 100 per cent usable.

² Reclaimed hardwood flooring is used flooring of standard 2 1/2" thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of 1/8" in thickness will be permitted where flooring is worn or sanded. Not more than 25 per cent of the tongue and not more than 25 per cent of the lower surface representing the under part of the groove may be missing on any piece.

Above prices apply when sold f. o. b. seller's yard or delivered within seller's free delivery zone.

For sales amounting in total for all items of less than \$10.00, the prices may be increased by 10 per cent.

Deduct \$3.00 per thousand from above prices when sold f. o. b. wrecking site.

Scrap lumber—Maximum price is \$5.00 per thousand board feet when sold for delivery either at the yard or the wrecking site.

[F. R. Doc. 46-6513; Filed, Apr. 17, 1946; 4:23 p. m.]

[Region VI Order G-112 Under SR 15]

FLUID MILK IN WHITE LAKE, S. DAK.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Re-

gional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

1. **Maximum distributor prices.** The maximum price for the sale and delivery of standard butterfat content fluid milk at White Lake, South Dakota shall be 12¢ per quart at wholesale and 14¢ per quart at retail.

2. **Definitions.** (a) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

(b) Sales at wholesale shall include all delivered sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

(c) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation, and in the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

This order may be revoked, amended or corrected at any time.

This order has been approved by the Department of Agriculture.

Effective April 18, 1946.

Issued this 18th day of April 1946.

R. E. WALTERS,
Regional Administrator.

Approved: April 16, 1946.

T. G. STITTS,

Director, Dairy Branch, Production and Marketing Administration, United States Department of Agriculture.

[F. R. Doc. 46-6568; Filed, Apr. 18, 1946; 11:38 a. m.]

[Region VIII Order G-1 Under SR 14, Amdt. 6]

FLUID MILK IN ARIZONA

For the reasons set forth in an accompanying opinion, and under the authority vested in the Regional Administrator by Supplementary Regulation 15 to the General Maximum Price Regulation; *It is ordered*, That the above described Order No. G-1 is amended as follows:

An undesignated paragraph is added to paragraph (1) (a) to read as follows: For retail sales of milk in gallon containers, either paper or glass, in Maricopa County (except the towns of Gila Bend and Wickenburg) the seller's maximum price, in each case is either (1) his maximum price as determined under § 1499.2 (a) of the General Maximum Price Regulation, or (2) the applicable price from the following table, whichever is higher:

	Butterfat	Price
Out of store.....	3.5% or more.....	\$0.45
Home delivered.....	3.5% to 3.8% inc.....	.45
	3.9% or more.....	.51

Provided, That through June 8, 1946, unless this proviso is sooner revoked,

each seller may adjust his maximum price as determined under (1) or (2) above, by adding to it 4 cents per gallon.

This amendment shall become effective April 18, 1946.

Issued this 18th day of April 1946.

GUY R. KINSLEY,
Acting Regional Administrator.

Approved: Apr. 16, 1946.

T. G. STITTS,
Dairy Branch, Production and Marketing Administration, United States Department of Agriculture.

[F. R. Doc. 46-6569; Filed, Apr. 18, 1946; 11:38 a. m.]

[Portland Order G-29 Under 18 (c)]

FIREWOOD IN EUGENE-LANE COUNTY, OREG., AREA

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the District Director of the OPA by § 1499.18 (c), as amended, of the GMPR, RGO 32 and Order of Delegation No. 75, issued by the Regional Administrator of Region VIII; *It is hereby ordered*, That:

(a) The maximum prices as established by §§ 1499.2 and 1499.3 of the GMPR or by any previous order issued pursuant to such regulation, or by any supplementary regulation thereto, for the sale and delivery of the types of firewood specified below in the Eugene-Lane County area in the state of Oregon are hereby adjusted so that the maximum prices therefor shall be:

Type of firewood	Maximum prices per cord delivered to premises of ultimate consumer in Eugene, Oreg., area	Maximum prices per cord delivered to premises of ultimate consumer in Lane County, Oreg., area	Maximum prices per cord to any buyer on farm in Eugene and Lane County area
4' old growth fir cordwood.....	\$9.75	\$8.75	\$6.50
16' old growth fir cordwood.....	10.75	9.75	7.50
4' second growth fir cordwood.....	9.00	8.00	6.00
16' second growth fir cordwood.....	10.00	9.00	7.00
4' oak, ash, maple, alder cordwood.....	11.75	10.75	8.25
16' oak, ash, maple, alder cordwood.....	12.75	11.75	9.25

(b) This Order No. G-29 supersedes and revokes Order No. VIII-P-G (15) 358, Order and Statement of Consideration Establishing Firewood Prices for Cottage Grove, Oregon, issued on Dec. 22, 1942, by the State Director for Oregon, Oregon State Office, OPA.

(c) This Order No. G-29 also supersedes all other orders in addition to the order specified in paragraph (b) above which established maximum prices for the kinds and types of firewood covered by this order when sold in the areas and by the persons covered by this Order No. G-29.

(d) *Definitions:* (1) The "Eugene, Oregon, Area" as herein used means the city of Eugene, Oregon, and the area within a six mile radius of its city limits including the city of Springfield, Oregon.

(2) The "Lane County, Oregon, Area" as herein used means all of Lane County, Oregon, except that portion thereof included in the "Eugene, Oregon, Area."

(3) "Old Growth fir cordwood" means bona fide first growth fir cordwood of large thickness green or dry. In case of doubt as to whether a particular wood is first or second growth, the second growth price shall apply.

(4) "Second growth fir cordwood" shall mean all cordwood green or dry other than old or first growth fir cordwood.

(e) No seller shall evade any of the provisions of the Order No. G-29 by changing the customary allowances, discounts, or other price differentials unless such change results in a lower price.

(f) *Invoice and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale. (2) The name and address of the buyer and seller. (3) The quantity of firewood sold. (4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e. hard, soft, or mixed, and length of pieces of wood.) (5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.) (6) The total price of the wood, on the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, and stacking and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be available for inspection by the OPA.

NOTE: The record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) This order shall become effective immediately.

(h) This order may be revoked, amended, or corrected at any time.

Issued this 2d day of April 1946.

LEWIS J. BRONAUGH,
Acting District Director.

[F. R. Doc. 46-6525; Filed, Apr. 17, 1946;
4:26 p. m.]

[Region II Order G-3 Under SO 142, Amdt. 1]

MAIN BELTING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by the Emergency Price Control Act of 1942 as amended, and by Supplementary Order No. 142 as amended, *It is hereby ordered, That:*

No. 79—8

(a) Order No. G-3 under Supplementary Order No. 142 issued March 8, 1946 is hereby amended by striking out paragraph (a) of said order and inserting in place thereof, the following:

(a) Maximum established prices of October 1, 1941, of Main Belting Company, 1241 Carpenter St., Philadelphia, Pa., for stitched canvas belting, may be increased by 11%.

(b) Said Order No. G-3 under Supplementary Order 142 is hereby further amended by adding a paragraph designated as (h), which paragraph reads as follows:

(h) On or before November 30, 1946, Main Belting Company shall file with the Regional Office, Region II, of the OPA, a Profit and Loss Statement showing the result of its operations for the 6 months period beginning May 1, 1946, and ending October 31, 1946.

(c) Except as hereby amended Order No. G-3 under Supplementary Order 142 shall remain the same and all provisions thereof shall remain applicable.

This amendment shall become effective immediately.

Issued this 15th day of April 1946.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 46-6516; Filed, Apr. 17, 1946;
4:23 p. m.]

[District of Columbia Order G-1 Under RMPR
165, Amdt. 2]

NATIONAL LAUNDRY CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the District of Columbia District Office of Price Administration by section 16 (a) of Revised Maximum Price Regulation No. 165, as amended—Services, and by the Emergency Price Control Act of 1942, as amended, it is hereby ordered that paragraph (a) of District of Columbia District Order No. 1 under section 16 (a) be amended to read as follows:

The application of the National Laundry Company, Inc., is granted to the extent that it is permitted to increase its present net legal maximum prices by the amount of sixteen (16%) percent, for all its laundry, linen supply, dry cleaning and related services, including commercial services, but not including its services to the Atlantic Coast Line, the Southern Railroad, the Seaboard Railroad, Pentagon Post Restaurants, and the Welfare and Recreational Association Restaurants.

The purpose of this Amendment No. 2 is to reduce the permitted increase heretofore granted from 18% to 16% over the net maximum prices.

This amendment shall become effective immediately.

Issued this 13th day of June 1945.

ROBERT K. THOMPSON,
District Director.

[F. R. Doc. 46-6515; Filed, Apr. 17, 1946;
4:23 p. m.]

[Region IX Order G-2 Under SO 121]

DOUBLE DECK BUNK BEDS, SINGLE BED-STEADS, COTS, MATTRESSES AND HOSPITAL BEDS IN HAWAII

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Territorial Director by section 4.2 of Supplementary Order 121, Order G-2 is hereby issued.

(a) *What this order does.* This order establishes maximum prices for resellers in the Territory of Hawaii of the commodities hereinafter described, which have been or may be purchased from any United States Government agency.

(b) *Maximum prices.* (1) The maximum prices for the following articles in new condition shall be:

	Price for all sales to Retailers, f. o. b. Shipping Point	Price for all sales at Retail
New mattress—size: 30" x 78", No. 4 box—23 lb. cotton felt 6.2 oz. ACA ticking.....	\$4.75	\$8.25
New angle iron or wood double deck bunk bed, including springs; size: approximately 30" wide, 66" high, 80" long.....	9.50	18.00
New folding canvas cot with wood frame, including but not limited to cots identified as stock No. 99205.....	4.00	5.95
New metal folding hospital bed 36" wide, 78" long, tubular ends, 32 1/4" high, angle iron frame with link fabric spring and supports for mosquito netting, with cotton mattress.....	12.50	19.50
New Army steel folding cot, 6'4" x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x 1 1/2" x 3/8", and all other Army steel folding cots of approximately the same dimensions and of the same or similar construction.....	4.25	7.00

(2) The maximum prices for the following used articles in "as is" serviceable condition shall be:

	Price for all sales to Retailers, f. o. b. shipping point	Price for all sales at retail
Used angle iron or wood double deck bunk bed, including springs; size: approximately 30" wide, 66" high, 80" long.....	\$6.05	\$11.25
Used folding canvas cot with wood frame, including but not limited to cots identified as Stock No. 99205.....	2.00	3.00
Used metal folding hospital bed 30" wide, 78" long, 32 1/4" high, 2" x 1 1/2" angle frame, steel fabric spring, Federal Stock No. 9907500.....	2.80	5.25
Used Army steel folding cot 6'4" x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x 1 1/2" x 3/8", and all other Army steel folding cots of approximately the same dimensions and of the same or similar construction.....	2.25	4.00
Used iron single bedstead, knock down type, #26-B-506, old style, complete; outside dimensions 32" x 78 1/2", bent tubular ends 31 1/2" high, made of 1" O/D stock with 3 rigid 3/8" rod upright bars; angle frame 1 1/4" x 1 1/4" x 3/4", fabric wire spring with 19 2 1/2" helical springs at each end, 14 1/2" from floor; and any subsequent specifications of this model including #32-A dated Apr. 14, 1942, Q/M Drawing 2-15-16.....	2.75	5.50

(3) The maximum prices for the following used articles reconditioned shall be:

	Price for all sales to retailers, f. o. b. shipping point	Price for all sales at retail
Reconditioned angle iron or wood double deck bunk bed, including springs, size: approximately 30" wide, 66" high, 80" long.	\$7.15	\$13.50
Reconditioned folding canvas cot with wood frame, including but not limited to cots identified as Stock No. 99205.	3.00	4.50
Reconditioned Army steel folding cot, 6' 4" x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x 1 1/2" x 1/2", and all other Army steel folding cots of approximately the same dimensions and of the same or similar construction.	3.50	6.50
Reconditioned iron single bedstead, knock down type, #26-B-506, old style, complete; outside dimensions 32" x 78 1/2", bent tubular ends 3 1/2" high, made of 1" O/D stock with 3 rigid 3/4" rod upright bars; angle frame 1 3/4" x 1 3/4" x 1 1/2", fabric wire spring with 19 2 1/2" helical springs at each end; 14 1/2" from floor; and any subsequent specifications of this model including 232-A dated Apr. 14, 1942, Q/M Drawing 2-15-15.	5.50	11.00
Reconditioned metal folding hospital bed, 36" wide, 78" long, 2" x 1 1/2" angle frame, steel fabric spring, Federal Stock No. 9907500. Reconditioning to include shortening legs from original height of 32 1/4" to 30 1/4".	5.50	8.50

For the purposes of this order, an article is deemed "Reconditioned" if it meets the following specifications:

(i) All broken and missing parts replaced.

(ii) Metal frame straightened where necessary.

(iii) All splits, holes, gouges, or bruises filled in, and soiled or torn fabrics, if any, replaced.

(iv) All exposed surfaces which were originally painted or finished, covered with a finish the color of which is uniform.

If the article does not meet these specifications, the maximum price set forth above for the article used in "as is" serviceable condition applies to the article.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the articles described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price for each article, and stating that the retailer is required by this order to attach to each article before sale a tag or label which plainly states a selling price not in excess of the appropriate retail ceiling price.

(e) *Tagging.* Any person who sells the articles described in paragraph (b) at retail shall attach to each article before sale a tag or label which plainly states a selling price not in excess of the appropriate retail ceiling price. If the article has been reconditioned, a statement to that effect must appear on the tag or label.

(f) *Relation to other regulations and orders.* This order with respect to the

commodities it covers supersedes any other regulations or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Retailer" means any person who normally sells to ultimate consumers.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective as of March 25, 1946.

Issued this 18th day of March 1946.

GERALD A. BARRETT,
Territorial Director.

[F. R. Doc. 46-6567; Filed, Apr. 18, 1946; 11:38 a. m.]

[Chicago Order G-1 Under Gen. Order 68, Amdt. 1]

BUILDING MATERIALS IN CHICAGO AREA

An accompanying opinion has been filed with the Division of the Federal Register.

Appendices A and B of Order No. G-1 under General Order 68 are hereby amended as follows:

APPENDIX A SALES TO CONTRACTORS

No.	Description of Commodity	Unit	Maximum Price
23	Vitrified clay sewer pipe No. 188-4"	Lineal ft.	\$0.17
24	Vitrified clay sewer pipe No. 188-6"	do.	.27
25	Flue lining 9 x 9	do.	.35 1/2
26	Flue lining 9 x 13	do.	.53 1/2
27	Flue lining 13 x 13	do.	.67 1/2

APPENDIX B SALES TO CONSUMERS

No.	Description of Commodity	Unit	Maximum Price
23	Vitrified clay sewer pipe No. 188-4"	Lineal ft.	\$0.18
24	Vitrified clay sewer pipe No. 188-6"	do.	.28
25	Flue lining 9 x 9	do.	.38 1/2
26	Flue lining 9 x 13	do.	.58 1/2
27	Flue lining 13 x 13	do.	.70 1/2

All other prices listed in said order for other commodities than those above described shall remain in full force and effect.

This amendment shall become effective April 1, 1946.

Issued March 27, 1946.

JAMES F. RILEY,
District Director.

[F. R. Doc. 46-6519; Filed, Apr. 17, 1946; 4:24 p. m.]

[Region IV Rev. Order G-5 Under RMPR 122, Amdt. 5]

SOLID FUELS IN CHARLOTTE, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (2) of Revised Order No.

G-5 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945 is hereby amended to read as follows:

(e) * * *

(2) *Low volatile bituminous coal from district No. 7.*

Size	Per ton 2,000 lbs.	Per 1/2 ton 1,000 lbs.	Per 1/4 ton 500 lbs.
Egg	\$11.35	\$5.93	\$3.15
Stove size (jr. egg)	11.10	5.80	3.09
Nut size	10.35	5.43	2.90
Pea size stoker	10.05	5.28	2.83
Domestic run-of-mine (screened)	10.15	5.33	2.85
Straight run-of-mine	9.95	5.23	2.80
Exception: Egg coal from mine index No. 56 and 58, Maryland New River Coal Co.	11.50	6.00	3.19

Effective date. This amendment shall become effective April 1, 1946.

Issued April 1, 1946.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 46-6521; Filed, Apr. 17, 1946; 4:25 p. m.]

[Des Moines Order G-2 Under RMPR 259, Amdt. 1]

CONTAINERS AND CASES OF DOMESTIC MALT BEVERAGES IN DES MOINES DISTRICT

Pursuant to the Emergency Price Control Act of 1945, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and the authority delegated to the District Director of the Des Moines, Iowa District Office of the Office of Price Administration, and for the reason set forth in the accompanying opinion; *It is hereby ordered*, That the said Order No. G-2 of Revised Maximum Price Regulation 259, section 5.2 (c) be amended as follows:

(1) Section 2 is amended to read as follows:

Sec. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers whose licensed premises are located within the Des Moines District. The Des Moines District consists of the entire State of Iowa with the exception of Osceola and Lyon counties.

(2) Section 2a is added as follows:

Sec. 2a. *Relationship of this order to other orders.* This order shall supersede Order No. G-2 under section 5.2 (c) of Rev. MPR 259 issued by the former Quad-Cities District Office, Region VI, Moline, Illinois, in those counties in Iowa which were subject to the said Quad-Cities Order. This order shall supersede any other order establishing uniform maximum deposit charges for containers and cases of domestic malt beverages which may have been previously effective in the area now comprising the Des Moines, Iowa District.

(3) Except as provided in the preceding paragraphs, all of the provisions contained in the said Order No. G-2 under

RMPR 259, section 5.2 (c) shall remain unchanged and in full force and effect.

This amendment shall become effective January 14, 1946.

Issued this 21st day of December 1945.

WALTER D. KLINE,
District Director.

[F. R. Doc. 46-6520; Filed, Apr. 17, 1946;
4:24 p. m.]

[District of Columbia Order G-1 Under
MPR 165, Amdt. 1]

NATIONAL LAUNDRY CO., INC.
ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the District of Columbia District Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended—Services, and by the Emergency Price Control Act of 1942, as amended, it is hereby ordered that paragraph (a) of District of Columbia District Order No. 1 under § 1499.114 (d) be amended to read as follows:

The application of the National Laundry Company, Inc., is granted to the extent that it is permitted to increase its present legal maximum prices for its family laundry service and its linen supply service by the amount of eighteen (18%) percent, and for all its other laundry, dry cleaning and related services, including commercial services, by the amount of six (6%) percent.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This amendment shall become effective immediately.

Issued this 28th day of March 1945.

ROBERT K. THOMPSON,
District Director.

[F. R. Doc. 46-6523; Filed, Apr. 17, 1946;
4:25 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1252]

GENERAL GAS & ELECTRIC CORP.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of April 1946.

General Gas & Electric Corporation (Gengas), a registered holding company and a subsidiary of General Public Utilities Corporation, also a registered holding company, having filed an application pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935 regarding the following transactions:

Gengas proposes to acquire from the Tide Water Power Company (Tidewater) 3,461 shares of the new common stock of Tidewater; 1,870 shares of the common stock of Atlantic Utility Service Corporation; and an assignment of any claims which Tidewater may have against Gengas or its parent or affiliates. The transactions proposed are pursuant to and for the purpose of completing the plan of recapitalization of Tidewater under sec-

tion 11 (e) of the act, approved by the Commission by orders dated December 22, 1944 and March 1, 1946 (Holding Company Act Release Nos. 5512, 6407, and 6441).

Said application having been filed on March 20, 1946 and notice of said filing having been duly given in the form and manner prescribed in Rule U-23 promulgated under said act, and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the transactions involved have the tendency required by section 10 (c) (2) of the act, and observing no basis for adverse findings under sections 10 (b) and 10 (c) (1) of the act;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application be, and hereby is, granted forthwith.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-6613; Filed, Apr. 19, 1946;
11:53 a. m.]

[File No. 70-1267]

OHIO EDISON CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of April A. D. 1946.

Notice is hereby given that Ohio Edison Company ("Ohio Edison"), a registered holding company and a subsidiary of The Commonwealth & Southern Corporation ("Commonwealth"), also a registered holding company, has filed an application-declaration with this Commission pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder. All interested persons are referred to said document which is on file in the office of this Commission for a full statement of the transactions therein proposed which may be summarized as follows:

Ohio Edison proposes to issue and sell publicly, pursuant to the competitive bidding provisions of Rule U-50, 204,153 shares of its common stock with a par value of \$8 per share. Ohio Edison has 2,000,000 authorized shares of such common stock, of which 1,795,847 shares are issued and owned by Commonwealth. The shares now proposed to be issued and sold constitute the remaining authorized shares.

The proceeds from such sale are proposed to be used for the construction of property additions and other corporate purposes. Ohio Edison states that it contemplates property additions estimated to cost in excess of \$12,000,000, of which approximately \$5,000,000 is to be expended in 1946 and the remainder for completion of projects to be started in 1946 or immediately thereafter, including approximately 60,000 kilowatts of

additional steam-electric generating capacity to be installed on the system at locations to be determined by studies now in progress.

The filing states that the general program of Commonwealth under section 11 of the Public Utility Holding Company Act of 1935 contemplates the divestment by it of the common stocks of its northern operating subsidiaries. Ohio Edison proposes to make an application to list its shares of common stock of the New York Stock Exchange, and asserts that the market quotations will assist in establishing a market value for the shares held by Commonwealth and thus facilitate the distribution of such shares.

The filing also states that the issuance and sale of the 204,153 shares of common stock have been expressly authorized by The Public Utilities Commission of Ohio, the state commission of the state in which Ohio Edison is organized and doing business.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, and that the application-declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on the application-declaration be held in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 10:00 a. m., e. d. t., on the 6th day of May, 1946, in such room as may be designated at such time by the Hearing Room Clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by the Commission's rules of practice, Rule XVII, on or before May 3, 1946.

It is further ordered, That Richard Townsend, or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issue and sale of common stock are exempt from the requirements of section 7 of the act pursuant to section 6 (b) thereof, and if not, whether the said securities will comply with the standards of section 7 of the act;

(2) Whether the terms and conditions of the issue and sale of the common stock are detrimental to the public interest or the interest of investors or consumers;

(3) Whether the fees, commissions, or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount;

(4) Whether the accounting treatment of the proposed transactions is appro-

priate and in conformity with the requirements of the act;

(5) What terms or conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers;

(6) Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on the Ohio Edison Company, on the Public Utilities Commissions of Ohio and Pennsylvania, on the Federal Power Commission, and on all parties of record and all persons granted leave to be heard in the proceedings on Commonwealth's Plan of Recapitalization (File Nos. 59-20, 59-8 and 54-75); and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 46-6614; Filed, Apr. 19, 1946;
11:53 a. m.]

[File Nos. 54-97, 59-73, 59-38, 70-1110]

UNITED PUBLIC UTILITIES CORP. ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 18th day of April A. D. 1946.

In the matter of United Public Utilities Corporation, Applicant, File No. 54-97; United Public Utilities Corporation and Its Subsidiary Companies, Respondents, File No. 59-73; United Public Utilities Corporation and Its Subsidiary Company, Respondents, File No. 59-38; United Public Utilities Corporation, File No. 70-1110.

The Commission having by order dated February 21, 1946, designated April 22, 1946, as the date for continuing the hearing in the above consolidated proceeding and having directed that at such continued hearing consideration should be given, among other things, to the issues involved in the application of United Public Utilities Corporation ("UPU"), under section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a certain plan designated as Plan 2 and to the issues involved in the section 11 proceedings heretofore instituted by the Commission;

UPU and its subsidiaries having requested that the hearing scheduled to be held April 22 be postponed in order to give the company's directors an opportunity to study the problem whether the interests of UPU stockholders will best be served by continuing the enterprise after a recapitalization of UPU as proposed in Plan 2 or by a voluntary liquidation of UPU; and

The Commission deeming it appropriate under the circumstances to postpone the date of the hearing scheduled for April 22, 1946:

It is hereby ordered, That the hearing in this matter scheduled for April 22, 1946 at 11:00 a. m., e. s. t. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania be, and it hereby is, postponed indefinitely. A further notice will issue in regard to any subsequent hearing to be held with respect to the issues involved in the section 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) proceedings heretofore instituted by the Commission or with respect to any plan heretofore filed or hereafter to be submitted by UPU for compliance with section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 46-6615; Filed, Apr. 19, 1946;
11:53 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4488, and 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5 (e), 55 Stat. 244 (46 U.S.C. 367, 375, 391a, 392, 404, 481, 489, 526-526t, 50 U.S.C. 1275), Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), as modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1), and Coast Guard General Order 1-46 of the Secretary of the Treasury, dated January 1, 1946 (11 F.R. 185), the following approval of equipment is prescribed, effective upon the date of publication in the FEDERAL REGISTER:

BUOYANT CUSHIONS FOR MOTORBOATS

Approval No. B-297, 14 1/4" x 15 3/4" x 2" buoyant cushion, No. 1700, 20 oz. kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 1-109, dated 14 February 1946, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco 5, California.

Approval No. B-298, 14" x 48" x 2" tufted buoyant cushion, 70 oz. kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 313, dated 13 March 1946, manufactured by Elvin Salow Co., 379 Atlantic Avenue, Boston 10, Mass.

Approval No. B-299, 14" x 20" x 2" tufted buoyant cushion, 30 ounces kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 313, dated 13 March 1946, manufactured by Elvin Salow Co., 379 Atlantic Avenue, Boston 10, Mass.

Approval No. B-300, 18" x 22" x 2" tufted buoyant cushion, 48 oz. kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 313, dated 13 March 1946, manufactured by Elvin Salow Co., 379 Atlantic Avenue, Boston 10, Mass.

Approval No. B-301, 15" x 15" x 2" seat, 20 oz. kapok; and 15" x 20" x 2" back, 27 oz. kapok, come apart style double buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 313, dated 13 March 1946, manufactured

by Elvin Salow Co., 379 Atlantic Avenue, Boston 10, Mass.

LIFEBOATS

24' x 8' x 3.58' steel motor-propelled lifeboat, 37-person capacity, General Arrangement Dwg. No. 2605, dated 7 February 1946, Alt. 26 February 1946, submitted by Welin Davit and Boat Corp., Perth Amboy, New Jersey. (Supersedes approval 11 September 1943, 8 F.R. 12518, insofar as new construction is concerned.)

24' x 8' x 3.58' steel oar-propelled lifeboat, 40-person capacity, General Arrangement Dwg. No. 2602, dated 7 February 1946, Alt. 18 February 1946, submitted by Welin Davit and Boat Corp., Perth Amboy, New Jersey. (Supersedes approval 16 September 1943, 8 F.R. 12675, insofar as new construction is concerned.)

LIFE PRESERVERS

Approval No. B-302, Model 5 child kapok life preserver, Specification 160.002, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

Approval No. B-303, Model 6 child kapok life preserver, Specification 160.002, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

TELEPHONE SYSTEM

Sound powered telephone handset, Dwg. No. A-257, Alt. 2, manufactured by United States Instrument Corp., East Orange, New Jersey.

Dated: April 18, 1946.

J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 46-6608; Filed, Apr. 19, 1946;
11:13 a. m.]

WAR SHIPPING ADMINISTRATION.

"COVENTRY" (EX-WILHELMINA, EX-HWAH JANG)

NOTICE OF DEPOSIT OF JUST COMPENSATION FOR USE OF VESSEL

Notice is hereby given that, pursuant to the provisions of section 3 (a) of the act of March 24, 1943 (Public Law 17, 78th Congress, 1st Sess.) the War Shipping Administration on April 17, 1946, deposited with the Treasurer of the United States the amount of \$135,380.77 as just compensation for the use of the vessel "Coventry" (ex-Wilhelmina, ex-Hwah Jang) belonging to the Hwah Sung Steamship Company, Ltd., 184 Sinza Road, Shanghai, China, said vessel having been requisitioned for the use thereof by the United States of America, represented by the War Shipping Administration, on April 18, 1942.

The attention of interested parties is invited to the provisions of said section 3 (a) concerning claims against the vessel which existed at the time of requisition.

By order of the War Shipping Acting Administrator.

[SEAL] A. J. WILLIAMS,
Secretary.

APRIL 9, 1946.

[F. R. Doc. 46-6585; Filed, Apr. 19, 1946;
10:00 a. m.]